

COMMISSION MEETING AGENDA
January 18, 1990 - 10:00 a.m.
Marriott Harbor Hotel
Manchester I Room
333 West Harbor Drive
San Diego, CA 92101-7709
(619) 234-1500

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

APPROVAL OF MINUTES

- A. Approval of the minutes of the November 2, 1989 regular Commission meeting at the Holiday Inn Capitol Plaza in Sacramento.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the November meeting, there have been 20 new certifications, 2 decertifications, and 57 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Second Quarter FY 1989/90

The second quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Information on New Entries Into the POST Regular (Reimbursement) Program

The Foothill-DeAnza Community College District and the Manteca-Ripon-Escalon-Tracy Judicial District Marshal's Office have met the Commission's requirements and have been accepted into the POST Regular (Reimbursement) Program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.4 Receiving Information on New Entries Into the Public Safety Dispatcher Program

Procedures provide that agencies that have expressed their willingness to abide by POST Regulations and have passed ordinances as required by Penal Code Section 13522 may enter into the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525.

In approving the Consent Calendar, your Honorable Commission notes that since the November meeting, 14 agencies listed in the enclosed report have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program.

B.5 Setting Command College Tuition for Non-Reimbursable Agencies

At the January 1988 meeting, the Commission adopted a Command College tuition for all non-reimbursable agencies. Staff was instructed to annually review the tuition and to report to the Commission each January with the recommended tuition for the coming year. The tuition for 1989 was \$3307. It is recommended the tuition for 1990 be increased by \$331 to \$3638 for the two-year program. The increase is due in part to the increase in facility use fees charged by Kellogg West, Cal-Poly, Pomona, where the Command College workshops are presented. In approving the Command College tuition, your Honorable Commission receives the report and sets the new tuition rate of \$3638 effective for Classes 14 and 15.

B.6 Approving Resolution Commending Advisory Committee Member Ronald E. Lowenberg

In approving the Consent Calendar, your Honorable Commission adopts a Resolution recognizing the service of Ronald E. Lowenberg as a member of the POST Advisory Committee from April 1984 to November 1989, representing California Police Chiefs' Association.

B.7 Approving Resolution Commending Advisory Committee Member William D. Shinn

In approving the Consent Calendar, your Honorable Commission adopts a Resolution recognizing the service of William D. Shinn as a member of the POST Advisory Committee from July 1983 to January 1990, representing the Peace Officers' Research Association of California (PORAC).

PRESENTATION

Presentation of Resolution Commending Commissioner Ronald Lowenberg for his service on the POST Advisory Committee from April 1984 to November 1989.

PUBLIC HEARINGS

C. Receiving Testimony on the Proposal to Adopt Training Standards on Dealing with Persons with Developmental Disabilities/Mental Illness

Senate Bill 2210 requires the Commission to include adequate instruction in the handling of persons with developmental disabilities or mental illness in the Regular Basic Course. Officers who completed basic training prior to July 1, 1990, (when the new standard takes effect) must complete supplemental training by July 1, 1992. Proposed curriculum standards for the Regular Basic Course and supplemental training for in-service officers have been developed to meet the legislative requirements.

For the Regular Basic Course, existing curriculum on handling the mentally ill and on the legal requirements for involuntary commitment under 5150 of the Welfare and Institutions Code (WIC) have been modified. Also, five new performance objectives are recommended. The modifications, which include additions and deletions, will result in a net two-hour training increase. This can be accommodated within the existing POST minimum hourly requirement because of the flexibility accorded academies to adjust hours. With these changes, the basic course training requirement of SB 2210 will be met.

The supplementary training requirement for in-service officers can be met via a two-hour teleconference interactive broadcast which can be repeated several times to assure full coverage opportunity. (A request for Commission approval to fund this broadcast is presented under Item "I".) The content of this required in-service training would be derived from the updated basic course requirements.

To effect these changes, it is proposed that Regulation 1081 be modified by adding Section (7) - Developmental Disabilities and Mental Illness. The section would specify minimum topics for basic training and related supplementary training of in-service officers. This public hearing is necessary for the Commission to incorporate this legislatively mandated training standard into regulations.

Subject to the results of the public hearing, the appropriate action would be a MOTION to adopt proposed training standards for the Regular Basic Course and supplemental training for in-service officers on the subject of law enforcement response to persons with developmental disabilities and mental illness pursuant to Penal Code Section 13519.2 to be effective July 1, 1990.

D. Receiving Testimony on the Proposal to Establish a Certificate Program for Public Safety Dispatchers

When the Commission adopted standards for a Public Safety Dispatcher program at its April 1988 meeting, interest was expressed in establishing a voluntary professional certificate program for dispatchers. Staff subsequently developed a proposed Dispatcher Certificate along with award criteria which are described in the material under Tab D.

This public hearing is to receive testimony on the proposal to amend Regulation 1018 and adopt a new Commission Procedure F-5 to implement a dispatcher certificate program.

The certificate program is strictly voluntary as there is no requirement by law or regulation that dispatchers have a certificate. The purpose of the certificate is to reflect adherence to certain standards. Employees of agencies which participate in the current Public Safety Dispatcher Programs are eligible.

The proposed criteria for a dispatcher to qualify for the Dispatcher Certificate are:

1. hired per the selection standards;
2. trained per the dispatcher basic training standard;
3. completed at least 12-months' probation; and
4. attested to the department head.

Under the proposal, the Commission would accept local selection procedures and 12-months' service in lieu of probation for dispatchers employed prior to the agency's entry into the dispatcher program. The POST developed Complaint Dispatch Course, which is the basic training course for dispatchers, would be required even for experienced dispatchers. There is no provision for "grandfathering" dispatchers without training or for establishing a training equivalency.

The proposed dispatcher certificates would only be available to full-time dispatchers. Part-time dispatchers, including full-time employees who are assigned dispatcher duties on a part-time basis, would not be eligible because of their different experience base. The Commission's current

definition of full-time employment would be used to distinguish between full-time (minimum 20 hours per week or 87 hours per month with the same rights and benefits as others in the job class), and part-time dispatchers for certificate eligibility.

It is additionally proposed that the current regulation specifying a 12-month probation requirement be modified to make clear that the requirement applies only to full-time dispatcher employees.

After receiving public input, if the Commission concurs, the appropriate action would be a MOTION to adopt the new and amended regulations as proposed, effective July 1, 1990.

E. Receiving Testimony on Adopting Regulations Pertaining to Conducting Feasibility Studies Regarding Designating Persons as Peace Officers as Provided by Senate Bill 353

Senate Bill 353 adds Sections 13540, 13541, and 13542 to the Penal Code and requires the Commission to adopt regulations for conducting feasibility studies for persons desiring peace officer status after January 1, 1990. This is a public hearing for the Commission to receive testimony on the proposed regulations associated with implementing the provisions of SB 353.

P.C. Section 13540 requires any person desiring designation as a peace officer to request the Commission on Peace Officer Standards and Training to undertake a feasibility study. The study shall be conducted in accordance with regulations established by the Commission. The Commission may charge the person requesting the study a fee not to exceed the actual study cost.

P.C. Section 13541 requires the study to include, but not be limited to, the current and proposed duties and responsibilities of persons employed in the category seeking the designation change. This also includes their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

In order for the Commission to recommend a change to peace officer status, the person desiring the designation change must be employed by an agency with a supervisory structure headed by a chief law enforcement officer (P.C. 13542). In addition, the agency must agree to comply with the training requirements set forth in P.C. Section 832; and the agency shall be subject to the funding restrictions set forth in P.C. Section 13526.

(P.C. Section 13526, also effective January 1, 1990, prohibits any allocation from the Peace Officers' Training Fund to a local government agency unless the agency was entitled to receive funding as of December 31, 1989.)

The law requires the Commission to issue the study and its recommendations to the requesting agency within 18 months of an appropriately made request. A copy of the report and recommendations shall also be submitted to the Legislature.

Subject to the results of the public hearing, the appropriate action would be a MOTION to adopt the proposed regulations for conducting feasibility studies for persons desiring a designation change to peace officer status.

TRAINING PROGRAM SERVICES

F. Recommendation to Schedule a Public Hearing for April 19, 1990 on the Proposal to Adopt Policy on Student Safety and Incorporate Commission Procedure D-10 Into Regulation

Presenters of POST certified training vary considerably on their approaches to student safety policies, supervision, equipment, procedures, and other safety related factors. To reduce potential for student injuries, the Commission has expressed interest in adopting a student safety policy for POST certified courses. A proposed policy has been developed under which presenters would establish student safety measures consistent with the nature of training being presented.

The proposed policy would require presenters of certified courses containing manipulative skills to establish POST-approved written policies and procedures to ensure student safety which shall minimally address: (a) Rules of Safety and Conduct; (b) Reporting Injuries; (c) Instructional Staff-to-Student Ratios; and (d) Adherence to Approved Expanded Course Outlines.

To assist presenters in establishing their safety measures, a draft document, POST Guidelines for Student Safety in Certified Courses, has been prepared. Initially, the guidelines address five psychomotor skill training areas: Firearms, Defensive Tactics/Arrest Control Techniques, Driver Training, Chemical Agents, and Explosives Devices. Modifications to the document will be made as experience may indicate in the future. Approval of the guidelines document as such is not part of the public hearing.

The proposed Commission policy would be appropriately located in Commission Procedure D-10 (Certification and Presentation of Training Courses). Should the Commission

wish to proceed, a public hearing on the safety policy and on incorporating existing provisions of Procedure D-10 into Administrative is advised.

If the Commission concurs, the appropriate MOTION would be to approve the setting of a public hearing for the April 1990 meeting to consider adopting a policy on student safety and incorporating Commission Procedure D-10 into regulation.

G. Recommendation to Schedule a Public Hearing for April 19, 1990 on the Proposal to Adopt Training Standards on the Subject of Carcinogenic Materials

Assembly Bill 2376 requires the Commission to include instruction in the identification and handling of possible carcinogenic materials in the Regular Basic Training Course for law enforcement officers. The Commission can meet this legal requirement by combining the existing performance objective on Hazardous Materials First Responders with a new performance objective on recognizing and handling known carcinogens. This training can be accommodated within the existing POST minimum hourly requirement because of the flexibility accorded academies to adjust hours.

To effect these changes, it is proposed that Regulation 1081 be modified by adding Section (3) - Carcinogenic Materials. The section would specify minimum topics for basic training. A public hearing is necessary for the Commission to incorporate this standard into regulations.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing for the April 19, 1990 Commission meeting to consider proposed carcinogenic materials training for the Regular Basic Course pursuant to Health and Safety Code 1797.187.

H. Recommendation to Approve Regular Basic Course Curriculum Modifications - Vehicle Operations/Professional Orientation

As part of the continuing process to maintain the Regular Basic Course, POST convenes workshops where staff, instructors, and subject matter experts systematically review and update curriculum. The Functional Areas of Vehicle Operations and Professional Orientation were recently reviewed in depth by such workshop committees. Vehicle Operations experts developed three new proposed performance objectives focusing on threshold braking, estimating distances traveled by vehicle speed, and vehicle inspection. A performance objective concerning experiencing

controlled skids is proposed to be deleted because another existing performance objective concerning all wheel braking skids appropriately addresses the behavior expected of students.

These proposed curriculum changes are consistent with the national guidelines for law enforcement driver training as expressed in the Driver Training Reference Guide, developed in 1988-89 by the International Association of Directors of Law Enforcement Standards and Training (IADLEST).

In the Professional Orientation Functional Area, one new performance objective is proposed to assure that students have familiarity with the Canons of Professional Conduct.

All of these proposed curriculum changes have been endorsed by the Basic Course Consortium. The changes will have nominal impact on academy instruction time and can be taught within existing POST minimum hourly requirements.

If the Commission concurs, the appropriate action would be a MOTION to approve the Regular Basic Course curriculum changes related to Force and Weaponry, Vehicle Operations, and Professional Orientation effective March 1, 1990.

I. Report on the Missing Persons Teleconference and Proposal for Presentation of Teleconference Training Courses by POST

On November 14, 1989, POST presented a two-hour teleconference training program for public safety dispatchers. Attending dispatchers met a statutory mandate to receive training on handling missing person reports.

The program, budgeted by the Commission at \$45,000, reached over 1100 dispatchers. A tape of the program will be used for future classroom presentations to reach additional trainees. This vehicle for delivery is clearly a cost-effective means of delivering short blocks of cognitive training.

Trainees rated the program as of high quality. As with any new program, areas for improvement have been identified. The teleconference vehicle has clear promise for the future, and POST will continue to refine and develop its use. Guidelines for future teleconference presentations are discussed in the report.

It appears desirable to experiment with the idea of permitting POST-approved downlink sites, including law enforcement agencies, to record the telecourse and subsequently train other personnel consistent with requirements and conditions to be specified by POST.

Officers thus trained would receive POST credit for having attended a POST-certified course which satisfies part of POST's continuing professional training requirement. It is proposed the Commission authorize another pilot telecourse that includes this approach. If approved, staff will evaluate and report back.

A satellite training broadcast dealing with persons with developmental disabilities/mental illness is proposed as the next teleconference presentation. This in-service topic is required by law for all peace officers. San Diego State University is recommended to develop and present the courses under an interagency agreement with the Commission. The presentation (which can be rebroadcast, if necessary) will meet this specific mandated training need for all California peace officers.

If the Commission concurs, appropriate action would be a MOTION to: (1) approve the report and authorize the Executive Director to negotiate and sign a contract with San Diego State University in an amount not to exceed \$45,000 to develop and present a telecourse on the subject of handling persons with mental illnesses or developmental disabilities; and (2) authorize staff to experiment with video replay of this telecourse as POST certified training, and to report back to the Commission.

J. Adopting Narcotic Investigation Training Standards for ABC Investigators

Senate Bill 1351 enacted Section 25755 of the Business and Professions Code to require all investigators of the State Department of Alcoholic Beverage Control to complete a four-week course on narcotics enforcement approved by POST before June 1, 1993. ABC investigators frequently work as part of multi-agency strike forces that target bars where illegal drugs are sold.

The 160-hour requirement can be met by the existing 80-hour Narcotics Investigation Course, followed by an 80-hour structured field training program. Approving this training standard is recommended for the Commission's consideration to meet the requirements of the legislation.

The field training program would be administered by ABC and would involve investigators being assigned to either the department's Drug Enforcement and Narcotics Team or a narcotics unit/task force with a local law enforcement agency. Forms and procedures for documenting specific training experiences were mutually developed by ABC and

POST staff. Upon completion of the field training program, ABC would certify that each investigator has completed the field training program.

The legislation only requires POST to develop and approve the course. Beyond that, ABC assumes full responsibility for complying with the legislation.

To implement this training standard, Regulation 1081 (Minimum Standards for Approved Courses) must be modified following a rule-making procedure. Because ABC is the only agency affected by this regulation change, use of the abbreviated public notice process is proposed. If no one requests a public hearing or offers comments which result in a modification to the proposed regulation following notifying the field, the change would become effective March 5, 1990. If a request is received, a public hearing will be scheduled.

If the Commission concurs, the appropriate action would be a MOTION to approve a four-week narcotic investigation training standard for investigators of the Department of Alcoholic Beverage Control subject to results of Notice of Proposed Regulatory Action.

CENTER FOR LEADERSHIP DEVELOPMENT

K. Report on Supervisory Leadership Institute

Pursuant to Commission authorization, development of curriculum to enhance leadership training for first level supervisors began in 1987. This work resulted in establishment of the Supervisory Leadership Institute in 1988. The first pilot class concluded in July 1989. Pilot classes 2 and 3 are now in progress.

Concepts embodied in this program address the intrinsic principles and values of effective leadership. The course is well received by participants. Demand for the course is high, exceeding capability. A proposal for expanding contract support to allow for additional presentations in the upcoming fiscal year is included as a Finance Committee agenda item.

This item is placed on the agenda to reserve time to show the Commissioners a 10-minute video tape which describes the program.

EXECUTIVE OFFICE

L. Approving Issuance of a Request for Proposal (RFP) to Develop an Interactive Videodisc Law Enforcement Driver Training Course

Lack of availability of adequate driver training facilities and rising costs prompted the Commission to conduct studies on law enforcement driver training alternatives. In May 1989, the Commission asked Hughes Aircraft to prepare a driver training plan that incorporates use of two newer technologies: interactive videodisc and part-task simulation. The Hughes' report provides the basis for developing a driver training course which uses interactive videodisc technology.

The next step is to issue a Request for Proposal (RFP) inviting bids on developing a video interactive training course. The course would permit trainees to learn the cognitive aspects of driver training and to apply what they know in decision-making exercises requiring them to exercise good judgment under a variety of conditions.

Interactive videodisc technology can be used by individuals, small groups, or in large classroom situations. It would use the same type of equipment presently used by law enforcement agencies and training institutions for delivery of POST's first interactive videodisc course, "Introduction to Law Enforcement."

The proposed cost for a contract to develop the interactive videodisc driver training course would range from \$300,000 to \$600,000 for design, development, programming, and delivery of finished course. The upper figure is probably more in line with costs associated with a four-side video disc training course. These figures take into account that the video production of realistic scenarios would have to be done under separate contract by law enforcement media producers in California. The course will take up to two years to finish from the award of contract. Payment would be spread over two fiscal years.

The course would potentially meet training needs of 6,000 new basic trainees and a pool of 60,000 in-service officers. The program should be popular nationally and POST could recover some development cost through a separate licensed marketing arrangement for distribution of the program outside California law enforcement.

If the Commission concurs, the appropriate action would be a MOTION to authorize issuance of the RFP to Develop an Interactive Videodisc Law Enforcement Driver Training

Course with proposals to be brought back to the Commission at its April 1990 meeting.

M. Recommendation to Hold a Symposium on the Use of Technology, Equipment and Facilities in Conjunction with the ACR 58 Study

Assembly Concurrent Resolution 58 (Campbell) requests the Commission to form a Committee to study the use of technology, equipment, systems, and facilities for law enforcement training. The Committee is composed of one member selected by the:

- o Commission;
- o Governor;
- o Attorney General;
- o California Peace Officers' Association;
- o Peace Officers Research Association of California;
- o Chancellor of the California Community Colleges;
- o Senate Committee on Rules; and
- o Speaker of the Assembly.

Chairman Block, the Commission's representative, would like to convene the first meeting of the ACR 58 Study Committee in early 1990.

The results of the ACR 58 study should influence directions and resources for law enforcement training through the decade and into the 21st century. To make certain the Committee has opportunity to receive input from the field and to assure the field has an influence on and understanding of the work of the Committee, the Commission may wish to authorize a Professional Symposium on Training in the Future.

The symposium would be held in mid-1990. A report of the Committee's work to date could be given. Various technologies and ideas would be presented and discussed. The symposium would be very useful in solidifying the sense of needs, opportunities, and directions.

If the Commission concurs, the appropriate action would be a MOTION to approve a symposium on the use of technology, equipment, and facilities for law enforcement training to provide needed information for the ACR 58 study. Representatives of police and sheriff's departments and major law enforcement and training organizations would be invited to participate.

COMMITTEE REPORTS

N. Long Range Planning Committee

Chairman Block, who also chairs the Long Range Planning Committee, will report on results of the Committee meeting held December 7, 1989 in Los Angeles. Topics discussed include:

1. Narcotics Training
2. Technology Report - ACR 58 Study
3. POST's Satellite Interactive Training
4. Level I Reserve Training
5. Study of Statewide Law Enforcement Cultural Awareness Communications Needs
6. Plan for Emphasis in Training Officers in Use of Computers
7. Basic Course Extended Format Application

Minutes of the meeting are under the tab.

O. Finance Committee

At each January meeting, the Commission receives a Committee report on major training and administrative contracts planned for the upcoming fiscal year. Information regarding these contracts is presented in order to obtain the Commission's approval to negotiate and return the proposed contracts for final approval at the April 1990 Commission meeting. The Finance Committee will meet January 17, 1990 and make recommendations regarding authorizing the Executive Director to negotiate contracts for services as outlined below. The contracts will be brought back for approval to sign at the April meeting.

Assuming favorable recommendations of the Finance Committee, the appropriate action, if the Commission concurs, would be a MOTION to authorize the Executive Director to negotiate the contracts and return them to the April meeting for formal approval.

Proposed contracts to be negotiated for Fiscal Year 1990/91:

1. Management Course

This course is currently budgeted at \$319,129 for 22 presentations spread among five presenters.

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates some increases over FY 1989/90 due to increased costs for instructors, coordination, facilities, and materials, although no additional presenters are planned for 1990/91.

2. Executive Development Course

This course is currently presented by California State Polytechnic University, Pomona, at a cost of \$78,925 for five presentations. Course costs are consistent with POST guidelines, and the performance of the presenter has been satisfactory. Staff anticipates some increased costs for instructors, coordination, facilities, and materials which may be allowable by tuition guidelines. Upon approval, a new contract will be negotiated for FY 1990/91.

3. San Diego Regional Training Center - Support of Executive Training Including the Command College

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1989/90 came to \$359,093. Upon authorization, a new contract will be negotiated for FY 1990/91.

4. CSU Long Beach - Support of Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support; ordering materials; paying instructors and auditors; and purchasing equipment. Costs for these services in FY 1989/90 were \$146,000. Upon authorization, a new contract recognizing the need for some increase in the number of presentations will be negotiated for FY 1990/1991.

5. Cooperative Personnel Services - Basic Course Proficiency Examination

POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination each of the last 9 years. The current year contract is for \$28,837.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$33,500. The anticipated cost increase is based on a projected 5% increase in Basic Course presentations and labor and shipping cost increases of approximately 10%.

6. Cooperative Personnel Services - Entry-Level Reading and Writing Test Battery

POST has contracted with Cooperative Personnel Services for administration of the POST entry-level reading and writing test battery since 1983. The current year contract is for \$89,134.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$97,000. The anticipated cost increase assumes labor and shipping cost increases of approximately 10%.

7. Cooperative Personnel Services - P.C. 832 Written Examination

POST has contracted with Cooperative Personnel Services for administration of the P.C. 832 Written Examination during this, the initial year of the testing program. The current year contract is for \$84,620.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$71,500. The cost decrease is attributable to the growing number of P.C. 832 Course presenters who have requested and been granted authority to administer the test locally.

8. State Controller's Office - Agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval is requested to negotiate a similar agreement to maintain current level of service for Fiscal Year 1990/91.

9. Computer Services Contract - Teale Data Center

POST has an Interagency Agreement with Teale Data Center (a state agency) for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The current year contract is for \$89,000.

Approval is requested to negotiate an Interagency Agreement with the Teale Data Center for computer services in 1990/91 for an amount similar to the current year's costs.

10. CALSTARS Contract, 1990/91

The mandated California Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. The Commission approved a current year contract in an amount not to exceed \$25,000.

Approval is requested to negotiate a similar agreement to maintain the current level of required service for Fiscal Year 1990/91.

11. San Diego State University for Satellite Video Broadcasts

San Diego State University is producing four 2-hour satellite broadcasts of videotape training programs during 1989/90 for \$16,000. It is requested that the current year interagency agreement be continued and increased to \$24,000 to cover costs attendant to program quality enhancements.

12. Department of Justice - Training Center

The Department of Justice has provided training to local law enforcement through an Interagency Agreement with POST since 1974. During Fiscal Year 1989/90, the amount allocated to this training was \$760,126. A 1990/91 fiscal year proposal will be made by the Finance Committee following discussing narcotics training needs, as requested by the Attorney General.

The Finance Committee will also report on: (1) a request from the Attorney General relating to funding for narcotics training; (2) a request from the A.G. to fund the Attorney General's Legal Sourcebook, and (3) the salary reimbursement rate, among other possible matters.

P. Legislative Review Committee

Commissioner Van de Kamp, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held January 18, 1990 in San Diego.

Q. Advisory Liaison Committee

Commissioner Maghakian, Chairman of the POST Advisory Liaison Committee, will report on the Committee meeting held January 17, 1990 in San Diego.

R. Advisory Committee

Don Brown, Chairman of the POST Advisory Committee, will report on the Committee meeting held January 17, 1990 in San Diego.

OLD/NEW BUSINESS

Appointment of Advisory Committee Members

- S. Letters from Peace Officers' Research Association of California and California Community Colleges Chancellor's Office re Nominations for Vacancies on Advisory Committee.

RECESS TO EXECUTIVE SESSION

Santa Clara County Department of Corrections

The Commission may recess to an executive session which, in accordance with Section 11126(q) of the Government Code, will be closed to the public. The purpose of the executive session is to discuss a legal action which has been filed by the Santa Clara County Department of Corrections.

RETURN FROM RECESS

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 19, 1990 - Marriott Hotel Mission Valley - San Diego
July 19, 1990 - San Diego Harbor Marriott Hotel - San Diego
November 1, 1990 - Holiday Inn Capitol Plaza - Sacramento
January 17, 1991 - San Diego

ADJOURNMENT

COMMISSION MEETING MINUTES
November 2, 1989
Holiday Inn Capitol Plaza
Sacramento, CA

The meeting was called to order at 10:05 a.m. by Vice Chairman Tidwell.

Commissioner Vernon led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Gerald Clemons, representing the Attorney General
Carm Grande
Ronald Lowenberg
Raquel Montenegro
Alex Pantaleoni
Floyd Tidwell
Robert Vernon

Commissioners Absent:

Sherman Block
Cecil Hicks
Edward Maghakian
Robert Wasserman

POST Advisory Committee Members Present

John Clements, Vice Chairman
Don Forkus
Dolores Kan
Don Forkus
Joe McKeown
Carolyn Owens

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Doug Thomas, Assistant Executive Director
Ron Allen, Bureau Chief, Training Delivery
John Berner, Bureau Chief, Standards and Evaluation
Ted Morton, Bureau Chief, Center for Leadership Development
Otto Saltenberger, Bureau Chief, Administrative Services
Hal Snow, Bureau Chief, Training Program Services
Darrell Stewart, Bureau Chief, Special Projects

Visitors' Roster:

Irene Carroll, San Jose Communications

WELCOME

Because of airplane mechanical difficulties in Southern California, Chairman Block was unable to be at the meeting. Vice Chairman Tidwell presided and extended congratulations and welcome to Ronald Lowenberg on his appointment as a POST Commissioner. (It was noted that other Commissioners not present called and reported they would be unable to attend because of illness or post-earthquake business.)

A. Approval of Minutes of the July 20, 1989 Commission Meeting

MOTION - Pantaleoni, second - Montenegro, carried unanimously to approve the minutes of the July 20, 1989 regular Commission meeting at the Marriott Harbor Hotel in San Diego.

B. Approval of Consent Calendar

B.1 Receiving Course Certification Report

Since the July meeting, there have been 29 new certifications, 7 decertifications, and 49 modifications.

B.2 Receiving Financial Report - First Quarter FY 1989/90

The first quarter financial report provided information relative to the local assistance budget through September 30, 1989. The report was presented and accepted and is on file at POST headquarters.

B.3 Receiving Information on New Entries Into the POST (Regular Reimbursement) Program

The Stockton Unified School District has met the Commission's requirements and has been accepted into the POST Regular (Reimbursement) Program.

B.4 Receiving Report on Withdrawal of San Luis Obispo Airport Police Department from the Specialized POST Program

In approving the Consent Calendar, the Commission acknowledged that the San Luis Obispo Airport Police

Department has been dissolved and services are now being provided by the San Luis Obispo County Sheriff's Department.

B.5 Receiving Report on Entries Into the Public Safety Dispatcher Program

Procedures provide for agencies to enter into the POST Public Safety Dispatcher Program when qualifications have been met. Since the July meeting, 63 agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program.

B.6 Resolution Commending Advisory Committee Member Michael Sadleir

The Commission adopted a Resolution recognizing the service of Michael Sadleir as a member of the POST Advisory Committee from 1981 to 1989, representing Specialized Law Enforcement.

B.7 Resolution Commending Retired Bureau Chief George W. Williams

The Commission adopted a Resolution commending George Williams for his service to POST. George began service to the Commission in 1969, having previously served 22 years at the Los Angeles Police Department. During his tenure at POST, George provided many important services. George concluded his service with POST as Chief of the Information Services Bureau.

PRESENTATION

Vice Chairman Tidwell presented a resolution to Retired Bureau Chief George W. Williams commending him for his dedicated and effective service to POST.

TRAINING PROGRAM SERVICES

C. Public Hearing to Adopt Policy on Student Safety and Incorporate Commission Procedure D-10 Into Regulation

It was reported that injuries to students in POST-certified courses involving manipulative physical skills is a problem that suggests the need for POST to consider adopting policy and guidelines for course presenters to follow. Among training institutions, considerable variation exists on student safety policies, supervision, equipment, and procedures. To reduce potential for student injuries, staff proposed that the Commission consider adopting a student safety policy for POST certified courses. Within those

policy guidelines presenters would establish their own student safety measures consistent with the nature of training being presented.

A draft document - "POST Guidelines for Student Safety in Certified Courses" has been prepared. It specifies safety measures which can reduce the risk of student injuries. Initially, five psychomotor skill training areas are addressed: Firearms, Defensive Tactics/Arrest Control Techniques, Driver Training, Chemical Agents, and Explosives Devices. Modifications to the document can be made as experience may indicate in the future.

It was proposed that the Commission adopt a policy that would require presenters of manipulative skills to establish POST-approved policies and practices to ensure student safety. Presenters would be encouraged to use the safety guidelines specified in POST Guidelines for Student Safety in Certified Courses. This policy would be appropriately located in Commission Procedure D-10 (Certification and Presentation of Training Courses).

After discussion, the following action was taken:

MOTION - Pantaleoni, second - Lowenberg, carried unanimously, to place this issue on the January meeting agenda with the intent of scheduling a public hearing in April 1990 to consider adopting a policy on student safety and incorporating Commission Procedure D-10 into regulation.

D. Scheduling a Public Hearing for January 18, 1990 on the Proposal to Adopt Training Standards on Dealing with Persons with Developmental Disabilities/Mental Illness

Staff reported that Senate Bill 2210 requires the Commission, by July 1, 1990, to include adequate instruction in the handling of persons with developmental disabilities or mental illness in the basic training course. Officers who complete basic training prior to July 1, 1990, must complete supplemental training by July 1, 1992. Proposed curriculum standards for the Basic Course and supplemental training for in-service officers have been developed to meet the legislative requirements.

For the Basic Course, existing curriculum on handling the mentally ill and on the legal requirements for involuntary commitment under 5150 of the Welfare and Institutions Code (WIC) has been modified. The modifications will result in a net two hour training increase which can be accommodated within the existing POST minimum hourly requirement because of the flexibility accorded academies to adjust hours.

The supplementary training requirement for inservice officers can be met via a 2-hour teleconference interactive broadcast which can be repeated several times to assure full coverage opportunity. The content of this required inservice training would be derived from the updated basic course requirements.

MOTION - Pantaleoni, second - Montenegro, carried unanimously to schedule a public hearing for the January 1990 Commission meeting to consider adoption of proposed training standards for the Regular Basic Course and supplemental training for in-service officers on the subject of law enforcement response to persons with developmental disabilities and mental illness pursuant to Penal Code Section 13519.2.

E. Revisions to the POST Regualification Course

The 80-hour POST Regualification Course was established by the Commission January 1, 1988 as an alternative means for persons to regualify themselves by refreshing their peace officer training after a three year break.

A review of the course revealed needed curriculum revisions and an increase in course length. The majority of the curriculum additions focus on legislative training mandates for peace officers including First Aid and CPR, Domestic Violence, Child Abuse and Sexual Assault Investigation, and Missing Persons. The curriculum revisions increase the course length from 80 to 120 hours.

MOTION - Lowenberg, second - Grande, carried unanimously to approve revised curriculum and increased course hours to 120 for the POST Regualification Course effective January 1, 1990.

STANDARDS AND EVALUATION

F. Report on the Progress and Status of the Newly Adopted P.C. 832 (Introduction to Law Enforcement) Testing Program

Staff reported on the progress and status of the recently implemented P.C. 832 course testing program. Overall reaction to the program has been positive, and initial results suggests that the program will bring about the desired goal of greater uniformity in course instruction throughout the state. Questions from Commissioners on this informational agenda item were also answered.

COMPLIANCE AND CERTIFICATES

G. Scheduling a Public Hearing for January 18, 1990 on the Proposal to Establish a Certificate Program for Public Safety Dispatchers

When the Commission, at its April 1988 meeting, adopted standards for a Public Safety Dispatcher program interest was expressed in a voluntary professional certificate program for dispatchers.

It was suggested that a single public safety dispatcher certificate be adopted which would serve to recognize individuals as having satisfied training and selection standards, and the probation requirement. No provision was proposed for "grandfathering" as it relates to the 80-hour basic training requirement. Analysis suggests excessive complexity and costs may accrue with training equivalency determinations, and a waiver of training would serve to undermine the strength and value of the certificate.

John Clements, Vice Chairman of the Advisory Committee, reported the Advisory Committee discussed this matter at its meeting on November 1, and wanted to go on record as supporting the public safety dispatcher program as proposed.

MOTION - Pantaleoni, second - Grande, carried unanimously to approve the setting of a public hearing for the January 1990 meeting to consider adoption of a public safety dispatcher certificate program.

EXECUTIVE OFFICE

H. Approval to Study Statewide Law Enforcement Cultural Awareness Communications Needs

It was recommended that staff conduct a review of cultural awareness, language, and communication considerations as they relate to California law enforcement needs. The review would assess the scope of cultures and languages in California generally, and survey current approaches and needs of law enforcement. Input from institutions and specialists in training technology would also be sought. The resulting recommendations would take needs, opportunities, limitations, and other factors into account and would conclude the review.

During discussion on the study, it was suggested that the Advisory Committee be assigned the responsibility of working with staff on this study. It was also suggested that experts throughout the country who have developed programs in this field be included in the survey.

MOTION - Grande, second - Vernon, carried unanimously to direct staff to study and develop recommended approaches for training in cultural awareness and communications and report back to the Commission by the July 1990 meeting.

MOTION AMENDED by Montenegro that the Advisory Committee work with staff on this proposal.

Amended MOTION carried unanimously.

I. Scheduling a Public Hearing on Adopting Regulations Pertaining to Conducting Feasibility Studies Regarding Designating Persons as Peace Officers as Provided by Senate Bill 353

As a result of Senate Bill 353, Sections 13540, 13541, and 13542 were added to the Penal Code effective January 1, 1990. These sections require any person or persons desiring peace officer status to request the Commission on Peace Officer Standards and Training to undertake a feasibility study. The Commission is required to adopt regulations governing requests for feasibility studies. A fee, not to exceed the actual cost of undertaking the study, may be charged to persons requesting the study.

Requested studies are required to include the current and proposed duties and responsibilities of persons employed in the category seeking the designation change to peace officer, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

In order for the Commission to recommend a change in designation to peace officer status, the persons desiring the designation change must be employed by an agency with a supervisory structure consisting of a chief law enforcement officer. The agency must also agree to comply with the training requirements of Penal Code Section 832.

The Commission shall issue the study and its recommendations to the requesting agency and the Legislature within 18 months of the request.

To adopt these requirements, it is proposed that Regulation 1019 be added to the POST Administrative Manual.

MOTION - Lowenberg, second - Montenegro, carried unanimously to schedule a public hearing for the January 1990 Commission meeting to consider adopting proposed regulations for the

undertaking of feasibility studies requested by persons seeking designation as peace officer pursuant to Penal Code Sections 13540, 13541, and 13542.

COMMITTEE REPORTS

J. Accreditation Committee

Commissioner Lowenberg, member of the ad hoc Accreditation Committee, reported that the Committee met on August 17, 1989 in Anaheim. The Committee received reports from the represented associations in response to the proposed legislation to establish a local law enforcement accreditation program. It was the consensus of the Committee that the field go ahead and seek the introduction of legislation and to seek funding from Penalty Assessment funds currently going into the state general fund.

The Committee will continue to review progress of the bill when introduced and to keep the momentum moving.

MOTION - Grande, second - Pantaleoni, carried unanimously to accept the report of the Accreditation Committee.

K. Legislative Review Committee

Commissioner Tidwell, member of the Commission's Legislative Review Committee, reported the Committee met on November 2, 1989 in Sacramento, and reviewed the results of the 1989 legislative session.

The Committee recommended that staff be given flexibility in modifying the language of P.C. 13510 to allow expanded certificate revocation to include moral turpitude as determined by the Commission.

The Committee also recommended an alternative bill be introduced for AB 2306 (Calderon) to allow joint power dispatch centers to participate in the POST program. The legislation chaptered in 1989 was reviewed along with what POST is doing to implement these bills.

MOTION - Montenegro, second - Vernon, carried unanimously to approve the report of the Legislative Committee.

L. Advisory Committee

The Advisory Committee held election of officers at the November 2, 1989 meeting. Don Brown, California Organization of Police and Sheriffs' representative, was elected as Chairman and John Clements, California Highway Patrol representative, was elected as Vice Chairman.

John Clements, the newly elected Vice Chairman of the Advisory Committee, expressed appreciation to Ron Lowenberg, Mike Sadleir, and Bill Shinn for their assistance as Advisory Committee members. In addition to member reports, the Committee received an interesting overview of the Basic Course Study presented by POST staff.

MOTION - Grande, second - Vernon, carried unanimously to accept the Advisory Committee report.

OLD/NEW BUSINESS

Financial Report

The Executive Director reported that staff has submitted a Budget Change Proposal (BCP) requesting unappropriated reserves to this year's budget. If approved, this would give the Commission an opportunity to consider increasing the salary reimbursement rates. The Finance Committee will meet prior to the January meeting to make a recommendation concerning the funds.

Gerald Clemons reported that the Department of Justice submitted a Budget Change Proposal requesting POST's funds to add permanent staff to the DOJ Advanced Training Center to increase narcotics training. POST objected and the Department of Finance did not allow the DOJ BCP for POST funds. Mr. Clemons reported he had spoken with POST's Executive Director on this, and DOJ is now working with POST to find acceptable approaches to assure needed training is made available to the field.

Driver Training Simulator

The Executive Director also reported on a driver training simulator which uses a model board concept. A prototype is being developed and should be available for demonstration in the near future.

It is anticipated that the federal government will appropriate approximately \$30 million to develop a full motion based driver simulator system in the FY 90/91 budget. Staff will keep the Commission informed of progress in this area.

Reading/Writing Standards

Commissioner Vernon requested a status report on the results of the POST reading/writing battery test concept and how well the Commission's voluntary (within guidelines) cutoff score approach is working. Staff will present the report at the April meeting.

RECESS TO EXECUTIVE SESSION - 11:15 a.m.

Santa Clara County Department of Corrections

The Commission adjourned to executive session which, in accordance with Section 11126(q) of the Government Code, was closed to the public. The purpose of the executive session was to discuss a legal action filed by the Santa Clara County Department of Corrections.

RECONVENE - 11: 35 a.m.

The Commission was briefed in Executive Session by legal counsel concerning the Santa Clara County Department of Corrections' litigation.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 18, 1990 - Marriott Harbor Hotel - San Diego
April 19, 1990 - Marriott Mission Valley Hotel - San Diego
(Please note change of location)
July 19, 1990 - Marriott Harbor Hotel - San Diego
November 1, 1990 - Sacramento

ADJOURNMENT - 11:45 a.m.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date January 18, 1990	
Bureau Training Delivery Services	Reviewed By Ronald T. Allen, Chief	Researched By Rachel S. Fuentes	
Executive Director Approval <i>[Signature]</i>	Date of Approval 12/28/89	Date of Report December 20, 1989	
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the November 2, 1989 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Missing Persons	Sunnyvale Dept. of Public Safety	Technical	IV	\$ -0-
2. Driver Awareness Update	Los Angeles P.D.	Technical	IV	-0-
3. Missing Persons	San Diego S.D./ Southwestern Col.	Technical	IV	4,900
4. Teleconference Training	Commission on POST	Technical	IV	30,000
5. Media Relations	Sacramento Public Safety Center	Technical	IV	8,064
6. Revolver Course	Los Angeles P.D.	Technical	IV	-0-
7. Labor-Management Relations	Justice Training Institute	Technical	III	23,280
8. First Aid/CPR Instructor	Dept. P&R	Technical	IV	-0-
9. Train-the-Trainers Communications	Santa Rosa Center	Technical	IV	21,024
10. Arson/Explosive Inv. III	Dept. of Forestry	Technical	IV	4,500
11. Semi-Automatic Pistol Course	Los Angeles P.D.	Technical	IV	-0-
12. Forest Practice Enforcement	Dept. of Forestry	Technical	IV	-0-

CERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13.	Defensive Tactics Instructor	San Bernardino Co. Sheriff's Dept.	Technical	IV	6,000
14.	Substance Abuse Prevention	Sacramento Public Safety Center	Technical	IV	14,400
15.	Skills & Knowledge Modular Training	Mt. San Jacinto College	Technical	IV	1,920
16.	Forensic Exam of Glass & Paint	DOJ Advanced Training Center	Technical	IV	8,100
17.	Arrest & Firearms (P.C. 832)	Long Beach P.D.	Technical	IV	-0-
18.	Complaint/Disp.	State Center Reg. Training Facility	Technical	II	39,312
19.	Basic Hostage Negotiation	Sacramento Police Department	Technical	IV	4,860
20.	Driver Training In-Service Update	Los Angeles P.D.	Technical	IV	18,196

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1.	Writing for Supv.	Golden West College RCJTC	Supv. Trng.	IV
2.	Arrest & Firearms (P.C. 832)	Kings River College	P.C. 832	IV

TOTAL CERTIFIED	<u>20</u>
TOTAL DECERTIFIED	<u>2</u>
TOTAL MODIFICATIONS	<u>57</u>

981 Courses certified as of 12-20-89
167 Presenters certified as of 12-20-89

425 S&K Modules certified as of 12-20-89
 48 S&K Presenters certified as of 12-20-89

TOTAL CERTIFIED COURSES: 1,406

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Foothill-DeAnza Community College District		Meeting Date January 18, 1990
Bureau Compliance & Certificate Services	Reviewed By <i>Jm</i>	Researched By Bud Perry
Executive Director Approval <i>McBee</i>	Date of Approval 11/16/89	Date of Report October 31, 1989
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Foothill-DeAnza Community College District, Department of Public Safety, has requested entry into the POST Regular Program.

BACKGROUND

Under the provisions of Penal Code Sections 831.31c and 13507(e), the District Police Department is willing to participate in the POST Regular Reimbursement Program. The District passed a proper Resolution on June 19, 1989, agreeing to adhere to POST objectives and regulations.

ANALYSIS

The department presently employs two full-time sworn members. Adequate selection standards and background investigations have been employed. The projected fiscal impact should be approximately \$1500 annually.

RECOMMENDATION

The Commission be advised that the Foothill-DeAnza Community College District, Department of Public Safety, has been admitted into the POST Regular Reimbursement program consistent with Commission policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title New Agency - Manteca-Ripon-Escalon-Tracy Judicial District		Meeting Date January 18, 1990
Bureau Compliance and Certificate Services	Reviewed By <i>Mery Fox for F.W.</i>	Researched By Tom Farnsworth <i>TF</i>
Executive Director Approval <i>Norman C. Godwin</i>	Date of Approval 12-20-89	Date of Report December 14, 1989
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Manteca-Ripon-Escalon-Tracy Judicial District Marshal's Office is seeking entry into the POST Reimburseable Program on behalf of its Marshal and Deputy Marshals.

BACKGROUND

The provisions of 830.1 Penal Code permit a Marshal's office to employ sworn officers. The San Joaquin County Board of Supervisors has submitted the proper documents supporting POST objectives and regulations.

ANALYSIS

The Marshal's Office has 4 full-time and 5 temporary deputies. Adequate background investigations have been conducted and the agency is complying with POST regulations.

RECOMMENDATION

The Commission be advised that the Manteca-Ripon-Escalon-Tracy Judicial District Marshal's Office has been admitted into the POST Reimbursement Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date January 18, 1990
Bureau Compliance & Cert. Servcs.	Reviewed By <i>George Fox F.W.</i>	Researched By Frederick Williams
Executive Director Approval <i>Norman C. Selman</i>	Date of Approval 12-20-89	Date of Report December 19, 1989
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed their willingness to abide by POST Regulations and have passed ordinances or resolutions as required by Penal Code Section 13522.

ANALYSIS

All of the agencies presently employ full-time dispatchers, and some employ part-time dispatchers. The agencies have all established minimum selection and training standards which equal or exceed the standards adopted for the program.

RECOMMENDATION

That the Commission be advised that the subject agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

The following agencies were accepted into the Public Safety
Dispatcher Program between the dates of 11-2-89 and 12-19-89.

Cypress Police Department
Downey Police Department
Eureka City Fire Department
Foster City Police Department
Petaluma Police Department
Port Hueneme Police Department
San Pablo Police Department
Glenn County Sheriff's Office
Inyo County Sheriff's Office
Lake County Sheriff's Office
Los Angeles County Sheriff's Office
San Joaquin County Sheriff's Office
Los Angeles County Marshal
Peralta Community College District

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Annual Review of Command College Tuition		January 18, 1989
Bureau	Reviewed By	Researched By
Center for Leadership Development	Ted Morton	Beverley Short
Executive Director Approval	Date of Approval	Date of Report
<i>McManis C. Behun</i>	<i>30 Nov 1989</i>	
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This item is before the Commission for its annual review of the Command College tuition.

BACKGROUND

At the January 1988 meeting, the Commission designated a tuition be charged all eligible, non-reimbursable agencies desiring to send participants to the Command College. The Commission also directed staff to monitor the direct costs of the 2-year program and to submit a report annually with recommendations for the tuition rate for the coming year.

The current tuition approved by the Commission for participants beginning the Command College program in 1989 is \$3,307.

The non-reimbursable agencies currently in the Command College and being charged a tuition are the California Highway Patrol, the Department of Justice, and the Department of Motor Vehicles. During the 1988-89 FY, there were nine tuition-paying participants in various stages of the program ranging from Classes 9 to 12. Tuition paid to POST amounted to \$11,972.

ANALYSIS

The recommended tuition based on anticipated direct Command College costs per participant in 1990 is \$3,638. The breakdown of costs is:

<u>Per Student</u>	
Faculty	\$2,148.
Facility Use Fees	726.
Project Advisors	260.
Project and Homework Grading	414.
Lead Faculty Meetings	90.
	<u>\$3,638.</u>

The recommended tuition per participant of \$3,638 for 1990 is an increase of \$331 over the 1989 tuition. The increase is due primarily because of an increase in the facility use fee Cal Poly, Pomona charges each student per workshop day, which is currently \$16.50.

RECOMMENDATION

Approve an increase in the Command College tuition from \$3,307 to \$3,638 effective with Command College Class 14 beginning June 11, 1990.



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Ronald E. Lowenberg has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training (POST) from April 1984 to November 1989, and

WHEREAS, He served as Chairman of the Advisory Committee during 1989, and

WHEREAS, Ronald E. Lowenberg has effectively represented the California Police Officer's Association (CPOA) during his tenure on the POST Advisory Committee; and

WHEREAS, He has demonstrated leadership and diligence in his service as a member of the POST Advisory Committee; and

WHEREAS, California law enforcement has benefited greatly from his advice and counsel; now

THEREFORE, BE IT RESOLVED, That the members of the Commission on Peace Officer Standards and Training (POST) do hereby commend Ronald E. Lowenberg for his outstanding service and dedication to California law enforcement; and

BE IT FURTHER RESOLVED, That the Commission extends best wishes to Ronald E. Lowenberg in his future endeavors.

Chairman

Executive Director

January 18, 1990

Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, William D. Shinn has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training (POST) from July 1983 to January 1990, and

WHEREAS, He served as Chairman of the Advisory Committee during 1988, and

WHEREAS, William D. Shinn has effectively represented the Peace Officers' Research Association of California (PORAC) during his tenure on the POST Advisory Committee; and

WHEREAS, He has demonstrated leadership and diligence in his service as a member of the POST Advisory Committee; and

WHEREAS, California law enforcement has benefited greatly from his advice and counsel; now

THEREFORE, BE IT RESOLVED, That the members of the Commission on Peace Officer Standards and Training (POST) do hereby commend William D. Shinn for his outstanding service and dedication to California law enforcement; and

BE IT FURTHER RESOLVED, That the Commission extends best wishes to William D. Shinn in his future endeavors.

Chairman

Executive Director

January 18, 1990

Date

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing - Training Standards on Developmental Disabilities and Mental Illness		Meeting Date January 18, 1990
Bureau Training Program Svs.	Reviewed By Hal Snow	Researched By Russ Kindermann <i>Russ Kindermann</i>
Executive Director Approval <i>Monica C. Belton</i>	Date of Approval 12-20-89	Date of Report November 13, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This is a public hearing to consider training standards for the Regular Basic Course and in-service officers on the subject of law enforcement response to persons with developmental disabilities and/or mental illness pursuant to Senate Bill 2210.

BACKGROUND

Senate Bill 2210, adding Section 13519.2 to the Penal Code (Attachment A), requires the Commission, on or before July 1, 1990, to include in the basic training course for law enforcement officers adequate instruction in the handling of persons with developmental disabilities or mental illness or both. The legislation also requires in-service officers who completed basic training prior to July 1, 1990 to complete supplementary training prescribed by POST prior to July 1, 1992. Senator Dan McCorquodale, responding to concerns expressed by members of the mental health community, authored this legislation requiring enhancement of the current peace officer training.

At the November 1989 meeting, the Commission approved the setting of this matter for public hearing at the January 1990 meeting.

ANALYSIS

The Regular Basic Course, as presently constructed, contains a learning goal and five performance objectives on mental illness and the legal requirements for involuntary commitment under authority of 5150 of the Welfare and Institutions Code. Substantial background information exists which points out the importance of addressing this subject. It is estimated that 250-325,000 mentally ill persons currently reside in California with a majority treated with local community mental health resources. The Department of Developmental Services currently

serves 80-90,000 developmentally disabled clients in the State. The mentally ill and the developmentally disabled are not simply congregated in urban areas, but reside statewide. As an agent of emergency response to situations involving the mentally ill and the developmentally disabled, the law enforcement officer needs to know the legal requirements, tactical considerations, and referral resources required in order to effectively respond. A Developmental Disabilities and Mental Illness Advisory Committee (Attachment B), composed of subject matter experts, training managers, and individuals having an interest and expertise in this area, was formed to review the current performance objectives and provide consultation on the course of instruction relating to Senate Bill 2210. The Advisory Committee developed, reviewed, and provided expert comment on over thirty-five concerns, issues, problems, and requirements associated with the subject. These specific considerations were compared with the existing course of instruction, and the attached performance objectives were developed in compliance with the standards required for conformance with the legislation.

Attachment C specifies proposed curriculum changes for the Regular Basic Course to meet this training standard and involves: 1) deleting two performance objectives (8.36.1 and 8.36.3) no longer considered necessary, 2) modifying two PO's (8.36.2 and 8.36.4) requiring the student to identify legal requirements for taking a person into custody under 5150 WIC and mental health/regional center referral resources, 3) adding five new PO's requiring the student to identify primary disability or problem, behavior factors of mental disorders and developmental disabilities, procedures required for detention under 5150 WIC, and alternate methods for handling developmentally disabled or mentally disordered, and 4) retaining one PO (8.36.5) requiring the student to safely and properly handle a person simulating mental illness in a practical exercise. As required by Senate Bill 2210, the proposed curriculum specifically provides training standards on the law enforcement handling of persons with mental illness or developmental disability, including information on the nature and causes of developmental disabilities and mental illness, and the community resources available to serve these persons.

It is proposed that Regulation 1081 be modified by adding Section (7) Developmental Disabilities and Mental Illness (Penal Code Section 13519.2) which specifies eight minimum topics for basic training, five of which (noted with asterisks) would also be applicable to the supplementary training of in-service officers. Those proposed topics include:

- A. Legal Requirements for Taking a Person into Custody
- B. Mental Health/Regional Center Referral Resources
- C. Practical Exercises
- *D. Identification of Primary Disability or Problem
- *E. Behavior Factors of Mental Illness
- *F. Behavior Factors of Developmental Disabilities

- *F. Behavior Factors of Developmental Disabilities
- *G. Procedures Required for Detention Under Authority of 5150 WIC
- *H. Alternate Methods for Handling Developmentally Disabled or Mentally Ill

* For in-service officers completing basic training prior to July 1, 1990, supplementary training consists of 2 hours emphasizing the indicated topics.

The Regular Basic Course training standard, represented by all eight topics, is proposed to have four hours minimum to complete. It should be noted, however, that the regular Basic Course currently contains approximately two hours of this training focusing on handling the mentally ill. Therefore, the proposed new curriculum represents up to two additional hours of instruction. However, no change in the POST minimum 560-hour requirement for the Regular Basic Course is being proposed because academy presenters have sufficient flexibility to conduct this instruction within the existing course.

The requirement for in-service supplementary training on this topic essentially consists of the five new performance objectives focusing on developmental disabilities. The time required for this supplemental training is recommended to be two hours. It is planned that this training will be primarily delivered by means of two-hour satellite teleconference broadcasts.

Because this is a legislative training mandate that is required to be incorporated into Commission Regulation 1081 (Minimum Standards for Approved Courses), a public hearing is necessary for the Commission to adopt this standard. Attachment D provides a copy of the Notice of Public Hearing, Bulletin, and proposed language for regulation change.

RECOMMENDATION

Subject to the results of the public hearing approve the proposed training standards for the Regular Basic Course and supplemental training for in-service officers on the subject of law enforcement response to persons with developmental disabilities pursuant to Penal Code Section 13519.2, effective July 1, 1990.

Senate Bill No. 2210

CHAPTER 393

An act to add Section 13519.2 to the Penal Code, relating to the Department of Justice.

[Approved by Governor August 25, 1988. Filed with Secretary of State August 26, 1988.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2210, McCorquodale. Department of Justice: task force.

Under existing law, there is in the Department of Justice, the Commission on Peace Officer Standards and Training which is responsible for administering numerous law enforcement training and certification programs.

This bill would require the commission, on or before July 1, 1990, to include in the basic training course for law enforcement officers, adequate instruction in the handling of persons with developmental disabilities or mental illness, or both.

The people of the State of California do enact as follows:

SECTION 1. Section 13519.2 is added to the Penal Code, to read: 13519.2. (a) The commission shall, on or before July 1, 1990, include in the basic training course for law enforcement officers, adequate instruction in the handling of persons with developmental disabilities or mental illness, or both. Officers who complete the basic training prior to July 1, 1990, shall participate in supplementary training on this topic. This supplementary training shall be completed on or before July 1, 1992. Further training courses to update this instruction shall be established, as deemed necessary by the commission.

(b) The course of instruction relating to the handling of developmentally disabled or mentally ill persons shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in this area. In addition to providing instruction on the handling of these persons, the course shall also include information on the cause and nature of developmental disabilities and mental illness, as well as the community resources available to serve these persons.

DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS

ADVISORY COMMITTEE

Paul Jefferson, Lieutenant
Los Angeles Police Academy

Carley Mitchell, Captain
Commanding Officer
Los Angeles Police Academy

Ronald D. Mincer, Chairman
Area XI Developmental Disabilities
Board

Ann Arneill
California Council on
Mental Health

Ralph M. Scheer, ACSW
Community Association for
Retarded, Inc.

Steve Collins
Rio Hondo Training Center

Walt DeCuir, Detective
Headquarters Bureau
Los Angeles Police Dept.

Ms. Gail Conrad
College of the Redwoods

Shane Kramer, Director
Victims of Crime Resource Center
McGeorge School of Law

Lynne A. Torres, Officer
San Francisco Police Dept.

Forrest M. Fulton, Sergeant
San Francisco Police Department

Trish Donahue
San Mateo Criminal
Justice Council

Lonnie Nolta, Director
UCPA-California Advocacy Services

Mia Baker, Special Assistant D.A.
Los Angeles District
Attorney's Office
Victim-Witness Assistance

Mike Hyams, Training and Personnel
Newport Beach Police Department

Kathy Spake, Administrator
El Camino Convalescent Hospital

LeRoy Downs
Supervisor Probation Officer

Lloyd DeVore

Lenore Morrell, Ph.D.
Los Angeles County Department of
Mental Health

Phillip Trompeter, Ph.D.

John Dineen
Chief of Police
Millbrae Police Department

Dennis Ferrell
Far Northern Regional Center

D. C. Spiegle, Ph.D.
Clinical Psychologist
California State Hospital and
Developmental Center

Brian and Betty Beckstrand

Lori Shepard
California Network of Health
Clients

Diane Kassebaum
Association for Retarded
Citizen - California

Gary Dietrich
Legislative Aide
Senator Dan McCorquodale

Dianne Wolfe
Community Mental Health/
Forensics

DEVELOPMENTALLY DISABLED AND MENTALLY ILL

8.36.0

DEVELOPMENTALLY DISABLED AND MENTALLY ILL

Learning Goal: The student will gain the ability to appropriately and legally deal with the mentally ill; respond to persons with developmental disabilities or mental illness, understanding the general nature and causes of these afflictions, and the community resources available for referral.

PERFORMANCE OBJECTIVES:

(Delete)

8.36.1

~~The student will identify the following factors to be considered when handling mentally disturbed or irrational persons:~~

- ~~A. -- Ignore verbal abuse~~
- ~~B. -- Avoid excitement~~
- ~~C. -- Do not deceive the person~~
- ~~D. -- Use restraining force sparingly~~
- ~~E. -- Maintain alertness~~

(Modify)

8.36.2

80%
2

~~Given word pictures or audio visual presentations depicting a possible need to commit an individual for 72-hour treatment and evaluation, the student will determine those situations where such commitment is appropriate and lawful. -- (Welfare and Institutions Code Section 5150)~~

Given a description of a situation involving a person exhibiting unusual behavior, the student will identify whether the person can be lawfully detained under the provisions of Section 5150 of the Welfare and Institutions Code. The student will be minimally required to respond to descriptions of situations where the following conditions exist:

- A. A person is mentally ill and a danger to himself
- B. A person is mentally ill and a danger to others
- C. A person is mentally ill and incapable of providing for his own needs
- D. A person is not mentally ill but is a danger to others
- E. A person is mentally ill but is not a danger to himself, a danger to others, or incapable of providing for himself

- (Delete) 8.36.3 The student will identify the procedures that are approved by the California Department of Health to conduct 72-hour treatment and evaluation of the mentally ill.
- (Modify) 8.36.4 The student will identify the procedure for referral of a mentally disturbed person who is not considered dangerous.
- 70%
2
- Given a word picture or audio-visual presentation of a situation involving a person who is mentally ill or developmentally disabled, the student will identify the appropriate mental health facility or regional center within the agency's jurisdiction to be used for evaluation, treatment, counseling, or referral.
- (New) 8.36.6 Given a description of a person exhibiting unusual behavior or appearance, the student will identify the most likely primary disability or problem. These include:
- 70%
2
- A. Autism
B. Mental retardation
C. Epilepsy
D. Cerebral palsy
E. Thought disorder
F. Mood disorder
G. Substance abuse
H. Other neurologic conditions
- (New) 8.36.7 Given a description of a person exhibiting any of the symptoms listed below, the student will identify them as symptomatic of mental illness:
- 80%
2
- A. Delusions
B. Hallucinations
C. Disorganized speech patterns
D. Irrational fear or sense of panic
E. Depression
F. Thoughts of death and suicide
G. Impaired self-care
H. Impulsive, erratic, and bizarre behavior
I. Disorientation
- (New) 8.36.8 Given a description of a person exhibiting any of the symptoms listed below, the student will identify them as symptomatic of a developmental disability:
- 80%
2
- A. Receptive or expressive communication difficulty
B. Seizure disorder

- C. Muscle control difficulty
- D. Slurred speech
- E. Confused or disoriented
- F. Lethargic
- G. Self-endangering behaviors
- H. Inappropriate response to situation
- I. Purposeless repetitive behavior
- J. Deficits in common language

(New)

8.36.9

80%
2

The student will identify the following procedures required of officers for safeguarding the rights of a person detained under the authority of Section 5150 of the Welfare and Institutions Code:

- A. The circumstance under which the person's condition was called to the officer's attention and the observation constituting probable cause for detention must be recorded on the Application for 72-Hour Detention For Evaluation and Treatment
- B. Advisement of Miranda rights, as appropriate, when criminal action is involved
- C. Reasonable precaution must be made to safeguard personal property in the possession of or on the premises occupied by the person
- D. The person must be informed of the officer's name and agency, and the reason the person is being detained
- E. If taken into custody at a residence, inform person of personal items that may be brought along, right to a telephone call, and right to leave a note to friends or family

(New)

8.36.10

80%
2

Given a description of a situation in which involuntary detention for evaluation and treatment is NOT appropriate, the student will identify appropriate alternative methods for handling the situation. These include:

- A. Urgent medical attention
- B. Arrest
- C. Referral for mental health services
- D. Referral to local developmental disabilities agency
- E. No police action required



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 17, 1989

BULLETIN: 89-21

**SUBJECT: PUBLIC HEARING - TRAINING STANDARDS RE: PEOPLE WITH
DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS**

A public hearing has been scheduled in conjunction with the
January 1990 Commission meeting:

Date: January 18, 1990
Time: 10:00 a.m.
Place: San Diego Harbor Marriott Hotel
San Diego, California

The hearing is for the purpose of adopting regulations to incorporate curriculum standards on the subject of law enforcement response to situations involving the developmentally disabled and/or the mentally disordered. This curriculum is made necessary by Senate Bill 2210, which added Section 13519.2 to the Penal Code. POST is required, on or before July 1, 1990, to include training on this subject in the regular basic training course for law enforcement officers. Supplemental training on this topic is required for those officers who complete basic training prior to July 1, 1990. Supplemental training is to be completed prior to July 1, 1992.

Proposed curriculum, as described in the attached notice, would require a minimum of two hours of instruction for in-service officers requiring supplemental training. For the Basic Course, curriculum requiring a minimum of four hours of instruction is proposed. It should be noted, however, that the Regular Basic Course currently contains approximately two hours of this training focusing on handling the mentally ill. Therefore, the proposed new curriculum represents up to two additional hours of instruction.

The Commission may adopt other changes based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA or by telephone at (916) 739-5400.

Norman C. Boehm
NORMAN C. BOEHM
Executive Director

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

BASIC TRAINING STANDARDS ON
DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code to interpret, implement, and make specific Sections 13519.2, 13510, and 13510.5 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: January 18, 1990
Time: 10:00 a.m.
Place: San Diego Harbor Marriott Hotel
San Diego, CA

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

From time to time, POST approves training standards pursuant to legislative mandate and they are incorporated into Regulation 1081 (Minimum Standards for Approved Courses). Pursuant to Senate Bill 2210, Section 13519.2 was added to the Penal Code. This section requires the Commission, on or before July 1, 1990, to include in the basic training course for law enforcement officers, adequate instruction in the handling of persons with developmental disabilities or mental illness, or both. This legislation also requires in-service officers who completed basic training prior to July 1, 1990, to complete, on or before July 1, 1992, supplementary training on this subject prescribed by POST.

It is proposed that Regulation 1081 be amended to include section (7) Developmental Disabilities and Mental Illness (Penal Code Section 13519.2). Insertion of this section will require that existing sections 7-14 be renumbered 8-15 respectively. This section will require that training on developmental disabilities and mental illness in the Regular Basic Course minimally include the following topics:

- A. Legal Requirements for Taking Person Into Custody
- B. Mental Health/Regional Center Referral Resources
- C. Practical Exercises
- * D. Identification of Primary Disability or Problem

- * E. Behavior Factors of Mental Illness
- * F. Behavior Factors of Developmental Disabilities
- * G. Procedures Required for Detention Under Authority of 5150 WIC
- * H. Alternate Methods for Handling Developmentally Disabled or Mentally Ill

It is proposed that 4 hours of instruction be devoted to addressing topics A-H. The Regular Basic Course currently contains approximately 2 hours of training focusing on the mentally ill. Accordingly, the new curriculum will represent an increase of up to 2 additional hours in order to include instruction on developmental disabilities as well as mental illness. However, no change in the POST minimum 560-hour requirement for the Regular Basic Course is being proposed because academy presenters have sufficient flexibility to conduct this instruction within the existing course.

In terms of supplemental training for in-service officers who completed basic training prior to 7-1-90, it is proposed that the curriculum minimally consist of the 5 topics indicated by asterisks which focus on developmental disabilities (Topics D-H from the list above). It is estimated that this curriculum will require up to 2 hours to instruct.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on January 2, 1989. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA, 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or, prior to the hearing, upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Small Business Impact: None.

Cost Impact on Private Persons or Entities: None.

Housing Costs: None.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, at the above-listed address, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: BASIC TRAINING STANDARDS ON
DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on January 18, 1990 for the purpose of receiving comments on proposed changes to Commission Regulation 1081 made pursuant to Penal Code Section 13519.2. These changes to the Regular Basic Course pertain to law enforcement response to persons with developmental disabilities and/or mental illness.

Substantial background information exists which points out the importance of addressing this subject. It is estimated that 250-325,000 mentally ill persons currently reside in California with a majority treated with local community mental health resources. The Department of Developmental Services currently serves 80-90,000 developmentally disabled clients in the State. The mentally ill and the developmentally disabled are not simply congregated in urban areas, but reside statewide. As an agent of emergency response to situations involving the mentally ill and the developmentally disabled, the law enforcement officer needs to know the legal requirements, tactical considerations, and referral resources required in order to effectively respond.

The Regular Basic Course, as presently constructed, contains a learning goal and five performance objectives on mental illness and the legal requirements for involuntary commitment under the authority of the Welfare and Institutions Code, Section 5150. In response to the provisions of PC Section 13519.2, an advisory committee composed of subject matter experts, training managers and individuals having an interest and expertise in developmental disabilities and/or mental illness, was formed to review the current performance objectives. Recommended performance objective changes were developed as a result of comparing the existing course of instruction with standards required for conformance with PC Section 13519.2.

For each proposed topic, detailed curriculum including performance objectives has been developed. The proposed topics were selected for inclusion in the curriculum because they address specific training needs of law enforcement. Additionally, some topics are included in order to comply with the provisions of PC 13519.2.

Proposed Topics

Justification

- | | |
|---|--|
| A. Legal Requirements for
Taking Person Into
Custody | - Essential that officers
understand specific legal
requirements enumerated
in Section 5150 of WIC to
observe individual
rights, insure individ-
ual/public safety, and
preclude liability for
non-compliance. |
| B. Mental Health/Regional
Center Referral Resources | - Officers need to know
the common referral
services for develop-
mentally disabled and
mentally ill.
PC13519.2(b) stipulates
that this training
include information on
community resources
available to serve these
persons. |
| C. Practical Exercise | - In addition to the
knowledge aspects of
handling mental illness
situations, officers
need to demonstrate their
proficiency in handling
mentally ill individuals
using role players and
evaluators with pre-
defined scripts. |
| * D. Identification of Primary
Disability or Problem | - Officers need to
recognize the behaviors
or appearance of persons
with common disability or
problems such as autism,
mental retardation,
epilepsy, cerebral palsy,
thought disorder, etc. |

- * E. Behavior Factors of Mental Illness - Identification of symptoms of mental illness is necessary for officers to make proper referral.
- * F. Behavior Factors of Developmental Disabilities - Identification of symptoms of developmental disabilities is necessary for officers to make proper referral.
- * G. Procedures Required for Detention Under Authority 5150 WIC - Officers must know legally required procedures to safeguard individual rights.
- * H. Alternate Methods for Handling Developmentally Disabled or Mentally Ill - Officers must understand these alternatives for handling such persons when involuntary detention is not appropriate.

Only the topics indicated by asterisks are applicable to the supplementary training for in-service officers, which is estimated to require up to two hours of instruction. In-service officers have previously received basic training in the topics which are not asterisked.

A survey of the basic academies which was taken in 1988 revealed that an average of 2 hours is presently used to train students to handle mental illness situations. It is estimated that another 2 hours will be required to teach the complete developmentally disabled and mentally ill curriculum.

The attached Notice of Public Hearing required by the Administrative Procedures Act provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Proposed Regulation Change

1081. *Minimum Standards for Approved Courses

Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. More detailed minimum curricula content is contained in the document "POST Prescribed Curricula Manual."

- (1) Arrest and Firearms (Penal Code Section 832) - 40 Hours
(Certified course; requirement satisfied by Basic Course.)

*Arrest (24 hours)
(Required)

- A. Professional Orientation
- B. Law
- C. Laws of Evidence
- D. Investigation Examination

*Firearms (16 hours)
(Required for peace officers carrying firearms)

- A. Firearms Safety
- B. Handgun Familiarization
- C. Firearms Care and Cleaning
- D. Firearms Shooting Principles
- E. Firearms Range (Target)

Communications and Arrest (16 hours)
(Recommended for peace officers who make arrests)

- A. Community relations
- B. Communications
- C. Arrest and Control Examination

* Specific Basic Course performance objectives are required and specified in the POST Prescribed Curricula Manual

- (2) Aviation Security (Penal Code Section 832.1) - 20 Hours
(Certified Course)

- A. Introduction and Background
- B. Civil Threat to the Aviation Industry
- C. Federal Organization and Jurisdiction
- D. Legal Aspects

*underlined for style

- E. Psychological Aspects
 - F. Passenger Screening
 - G. Aviation Explosives
 - H. Aviation Security Questions and Issues
- Examination and Critique

- (3) Basic (Regular) (Penal Code Section 832.3) - 520 Hours
(Certified Course)

See PAM, Section D-1

- (4) Chemical Agent for Peace Officers (Penal Code Section 12403) - 8 Hours

(Requirement satisfied by the Basic Course)

Exceptions: Chemical Agent Training for California Youth Authority Field Parole Agents and local field probation officers, as described in P.C. Section 830.5 shall be the training prescribed in P.C. Section 12403.7 and certified by the Department of Justice.

- A. Legal and Ethical Aspects
- B. Chemical Agents Familiarization
- C. Medical and Safety Aspects
(First Aid)
- D. Use of Equipment
- E. Simulations and Exercises

- (5) Chemical Agent Training for Private Security (Penal Code Section 12403.5) - 2 Hours
(Not a POST-certified course)

Chemical Agent Training for Private Security personnel shall be the training prescribed in P.C. 12403.7 and certified by Department of Justice.

- A. Self Defense, History of Chemical Agents, and Aerosol Weapons
- B. Effectiveness as a self-defense weapon
- C. Mechanics of Tear Gas Use
- D. Medical Aspects of First Aid
- E. Practical Use
- F. Field Training and Demonstration
- G. Discard of Weapons

- (6) Child Abuse and Neglect (Penal Code Section 13517) -24 Hours
(Certified course; requirement satisfied by the Basic Course; optional Technical Course.)

- A. General Child Abuse Investigative Procedures
- B. Child Neglect and Emotional Abuse/Deprivation
- C. Physical Child Abuse
- D. Sexual Abuse and Exploitation of Children
- E. Interview and Interrogation Techniques

- F. Community Child Care Facilities
- G. Course Critique and Student Evaluation

(7) Developmental Disabilities and Mental Illness - 4 Hours
(Penal Code Section 13519.2)

- A. Legal Requirements For Taking Person Into Custody
- B. Mental Health/Regional Center Referral Resources
- C. Practical Exercises
- *D. Identification of Primary Disability or Problem
- *E. Behavior Factors of Mental Illness
- *F. Behavior Factors of Developmental Disabilities
- *G. Procedures Required for Detention Under Authority of 5150 WIC
- *H. Alternate Methods for Handling Developmentally Disabled or Mentally Ill

*For in-service officers completing basic training prior to 7-1-90, supplementary training consists of 2 hours emphasizing the indicated topics.

(8) (7) Domestic Violence (Penal Code Section 13519) - 8 Hours

- A. Overview of Domestic Violence
- B. Legislative Intent/POST Guidelines
- C. Enforcement of Laws
- D. Court Orders
- E. Tenancy

(9) (8) Humane Officer Firearms (Civil Code Section 607f) - 15 Hours

The required course is the Firearms portion of the P.C. 832 Course, with an examination.

(10) (9) Missing Persons (Penal Code Section 13519.1) - 4 Hours

- *A. Benefits for Law Enforcement Involvement and sensitivity
- B. Initial Response Procedures
- C. Locating Missing Persons
- *D. Legal Requirements for Initial Response and Follow-up

*For in-service officers completing basic training prior to 1-1-89, supplementary training consists of 2 hours emphasizing the indicated topics.

(11)(10) Reserve Peace Officer (Penal Code Section 832.6) - 214 Hours
(Certified course; requirement satisfied by the Basic Course.)

Level III Reserve (56 Hours)
P.C. 832 Arrest and Firearms Course (Level III Reserve is

required for Level III, Level II, and non-designated Level I Reserve Officers.)

Level II Reserve (90 Hours) (Prerequisite - Level III Reserve Course)

- A. Professional Orientation
- B. Law
- C. Communications
- D. Vehicle Operations
- E. Force and Weaponry
- F. Patrol Procedures
- G. Traffic
- H. Custody
- I. Physical Fitness and Defense Techniques
- J. Examination

(Module B is required for Level II and non-designated Level I Reserve Officers.)

Level I Reserve (68 Hours) (Prerequisite - Level III & II Reserve Course)

- A. Professional Orientation
- B. Police Community Relations
- C. Law
- D. Communications
- E. Vehicle Operations
- F. Laws of Evidence
- G. Patrol Procedures
- H. Traffic
- I. Criminal Investigation
- J. Custody
- K. Physical Fitness and Defense Techniques
- L. Examination

(Level I Reserve is required for non-designated Level I Reserve Officers.)

Designated Level I Reserve Officers are required to complete the regular Basic Course as described in PAM Section D-1.

(12)~~(11)~~ Sex Crime Investigation (Penal Code Section 13516) - 24 Hours
(Certified Course)

Preliminary Sexual Assault Investigation and Sexual Exploitation; Exploitation/Sexual Abuse of Children (Required part of Basic): (6 Hours)

- A. Overview of Problems, Issues and Prevention Considerations
- B. Sensitivity of Responding Officer
- C. Treatment of Victim
- D. Preliminary Investigation Procedure

Follow-up Sexual Assault Investigation: (18 Hours)

- E. Collection and Preservation of Evidence
- F. Classroom Demonstration
- G. Basic Assault Investigation
- H. Review Report of Preliminary Investigation
- I. Re-interview the Victim
- J. Investigation of the Suspect
- K. Physical Evidence
- L. Prosecution
- M. Pretrial Preparation

**(13)(12) State Agency Peace Officers (Penal Code Section 13510.5)
(Certified Course)**

The Advanced Officer Course as described in PAM Section D-2 shall satisfy the minimum training required by P.C. 13510.5, per Commission action of October 1978.

**(14)(13) Traffic Accident Investigation (Vehicle Code Section 40600)
(Certified Course.)**

- A. Vehicle Law and Court Decision Relating to Traffic Accidents
- B. Report Forms and Terminology
- C. Accident Scene Procedures
- D. Follow-up and Practical Application

(15)(14) Wiretap Investigation (Penal Code Section 629.44(a)) - 14 Hours

- A. Legal Aspect
- B. Technical Aspects
- C. Practical Aspects

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Public Hearing: Public Safety Dispatcher Certificate Program		Meeting Date Jan. 18, 1990
Bureau Executive Office	Reviewed By	Researched By Darrell Stewart
Executive Director Approval <i>Morgan C. Belin</i>	Date of Approval 12-28-89	Date of Report Dec. 5, 1989
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This is a public hearing to consider inclusion of a Dispatcher Certificate provision in the Public Safety Dispatcher Program.

BACKGROUND

During the development and implementation of the Public Safety Dispatcher Program, individual dispatchers, dispatch groups and certain agencies indicated interest in POST developing a certificate program for dispatchers.

POST certificates are currently issued to regular and specialized full-time peace officers, and reserve peace officers. The certificate programs for regular and specialized full-time peace officers include a Basic Certificate and higher level certificates up through an Executive Certificate. The reserve certificate program provides only a single certificate issued to Level I reserves.

A single certificate program, based on criteria similar to those used in the peace officer program for a Basic Certificate, is proposed for issuance of a Public Safety Dispatcher Certificate.

ANALYSIS

Implementation of a dispatcher certificate program will require a change in Commission Regulation 1018 to provide the authority for the certificate program (see Attachment A).

A new Commission Procedure is also necessary to establish the program criteria and procedures (See Attachment B). The proposed procedures establish the certificate criteria as:

- (1) hired per the selection standards;
- (2) trained per the basic training standard for dispatchers;
- (3) completion of at least 12 months probation; and
- (4) attestation of the department head.

For experienced dispatchers hired before an agency's entry into the dispatcher program, the procedures accept the prior selection standards used by the agency, and one year of service instead of at least 12 months probation. This allows experienced dispatchers to qualify for certificates even though they were hired under different criteria years ago. The 80-hour Complaint/Dispatch Course, which is the basic training course for dispatchers, would be required even for experienced dispatchers. The training is applicable to most experienced dispatchers. There is no provision for "grandfathering" the dispatchers or for establishing a "training equivalency" to accommodate the experienced dispatchers.

As proposed, only full-time dispatchers would be eligible for award of certificates. Part-time dispatchers, and full-time employees who are assigned dispatcher duties for a minor portion of their work time, would not be eligible because of their different experience base. The Commission's current definition of full-time employment, Regulation 1001(1), would be used to distinguish between full and part-time dispatcher employment. To be considered full-time under the definition, an individual must minimally work in excess of 20 hours weekly or 87 hours monthly and have rights and benefits of other full-time employees in the same personnel classification.

A Public Safety Dispatcher Certificate has been designed for consideration. (see Attachment C).

As currently written, Commission regulations require at least a 12-month probation period. An inadvertent effect is application of the requirement for both full-time and part-time dispatchers. Agencies do not place part-time dispatchers on probation, as they are normally hired on an hourly or daily basis. Part-time dispatchers that are not performing as desired are not scheduled again to work. It is proposed that this regulation be revised to clarify that the 12-month probation is required only for full-time employees. (See Attachment D).

Recommendation

If the Commission concurs, after considering all public input, it is recommended that this proposal to amend the Regulations and Procedures to implement a Public Safety Dispatcher Certificate Program be adopted effective July 1, 1990.

Attachment A

Proposed Amendment to Commission Regulation 1018

1018(f) Public Safety Dispatcher Program

The Commission shall award Public Safety Dispatcher Certificates to dispatchers who qualify as provided in PAM, Section F-5, for the purpose of fostering professionalization.

COMMISSION PROCEDURE F-5

PUBLIC SAFETY DISPATCHER CERTIFICATE PROGRAM

Purpose

1-1. The Public Safety Dispatcher Certificate Program: This Commission procedure describes the dispatcher certificate program established in Section 1018(f) of the Regulations and sets forth certificate eligibility requirements.

General Provisions

1-2. Eligibility of Dispatchers Employed After Agency Entry Into Public Safety Dispatcher Program or Specialized Public Safety Dispatcher Program: To be eligible for the award of a Public Safety Dispatcher Certificate, an applicant must:

- a. Currently be a full-time, non-peace officer employee who performs duties which include receiving emergency telephone calls for law enforcement service and/or dispatching law enforcement personnel; and
- b. Have been selected in accordance with minimum selection standards described in PAM, Section 1018(c); and
- c. Have satisfactorily met the minimum training standards described in PAM, Section 1018(d); and
- d. Have satisfactorily completed a probationary period with the agency of at least 12 months as described in PAM, Section 1018(e); and
- e. Have been designated as a dispatcher by the employing agency and whose status has been reported to POST in accordance with Regulation 1003, Notice of Appointment/Termination.

1-3. Eligibility of Dispatchers Employed Prior to Agency Entry Into the Public Safety Dispatcher Program or Specialized Public Safety Dispatcher Program: To be eligible for the award of a dispatcher certificate, an applicant must:

- a. Have completed a minimum of one year satisfactory service with the agency as a full-time public safety dispatcher.
- b. Have been trained according to minimum training standards described in PAM Section 1018(d)

- c. Have been designated as a dispatcher by the employing agency and whose status has been reported to POST in accordance with Regulation 1003, Notice of Appointment/Termination.

1-4. Application Requirements:

- a. All applications for award of the certificate shall be completed on the prescribed Commission form entitled "Application for Award of POST Public Safety Dispatcher Certificate", POST 2-289.
- b. The department head shall sign the following statement which appears on the application:
 - (1) "I recommend that the certificate be awarded. I attest that the applicant has completed a probationary period of at least 12 months as provided in Commission Regulation 1018(e), was selected in accordance with the minimum standards in Section 1018(c), and meets the basic dispatcher training requirement set forth in Section 1018(d). The applicant in my opinion is worthy of the award. My opinion is based upon personal knowledge or inquiry. The personnel records of this jurisdiction/agency substantiate my recommendation."

1-5. Certificate Denial or Cancellation: The Commission shall deny or cancel a Public Safety Dispatcher Certificate if the application that was submitted, or the certificate that was issued, is based on misrepresentation, fraud, or administrative error.

GEORGE DEUKMEJIAN
GOVERNOR

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

JOHN E. VAN DE KAMP
ATTORNEY GENERAL

The

Commission on Peace Officer Standards and Training

Hereby awards the

PUBLIC SAFETY DISPATCHER

**Certificate
to**

*for having fulfilled the selection and training
requirements of the Public Safety Dispatcher
Program set forth in Commission Regulation 1018.*



COMMISSION CHAIRMAN

No. _____

EXECUTIVE DIRECTOR

Proposed Amendment to Commission Regulation 1018

1018(e) Probation Period

Every full-time employed public safety dispatcher after hire shall demonstrate competence in the performance of the duties of a public safety dispatcher by satisfactory completion of a probationary period of a least 12 months. Upon entry into the program, departments with a probation period of less than 12 months, when established by ordinance, charter, or memorandum of understanding, shall be granted a waiver of this requirement until a 12-month probation period can be established.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposal to Adopt Regulations for Conducting Feasibility Studies for Peace Officer Designation		Meeting Date Jan. 18, 1989
Bureau	Reviewed By Executive Office	Researched By Doug Thomas
Executive Director Approval <i>Mouman C. Behr</i>	Date of Approval 12-29-89	Date of Report Dec. 29, 1989
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should POST Regulations be adopted to establish feasibility study procedures for persons requesting peace officer designation pursuant to Senate Bill 353.

BACKGROUND

Senate Bill 353 (Attachment A), which takes effect January 1, 1990, adds Sections 13540, 13541, and 13542 to the Penal Code.

P. C. Section 13540 requires any persons desiring peace officer status, under the authority of the P. C. 830 series, to request the Commission on Peace Officer Standards and Training to undertake a feasibility study. The request and study shall be undertaken in accordance with regulations established by the Commission. The Commission may charge the persons requesting the study a fee, not to exceed the actual study cost.

P. C. Section 13541 requires the study include, but not be limited to, the current and proposed duties and responsibilities of persons employed in the category seeking the designation change, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

P. C. Section 13542 establishes requirements for the Commission to give a favorable recommendation as to a change in designation to peace office status. In order to meet these requirements, the persons desiring the designation change shall be employed by an agency with a supervisory structure consisting of a chief law enforcement officer. The agency must also agree to comply with the training requirements set forth in P. C. Section 832, and shall be subject to the funding restriction set forth in P. C. Section 13526. (P. C. Section 13526, effective January 1, 1990, prohibits any POTF allocation to a local government agency unless the agency was entitled to receive such funding as of December 31, 1989.) The Commission shall issue the study and its recommendations to the requesting agency within 18 months of the request if the request is

made in accordance with Commission regulations. A copy of the study and recommendations shall also be submitted to the Legislature.

ANALYSIS

Penal Code Sections 13540, 13541, and 13542 gives new responsibilities to the Commission to study requests by persons seeking peace officer status. The actual costs of performing these studies may be charged to the requesting persons. In order to implement the provisions of these new Penal Code Sections, it is proposed that a new Section 1019 (Attachment B) be added to the regulations in the POST Administrative Manual. A public hearing is required to incorporate these regulations.

The regulations proposed would include the following: procedures for making requests for feasibility studies by persons seeking peace officer status; who is eligible to make requests; a requirement that requests include the endorsement of the department head; how requests would be made in writing to the Commission; the establishment of fees to cover the actual costs for conducting the study by charging the employee's salary and benefits for the actual time spent conducting the study plus a 40% overhead for such indirect costs as clerical support, supervision, use of equipment and facilities, and supplies; a statement that work would be conducted pursuant to the requirements of the Penal Code; and procedures for appeals to the Commission when there is disagreement with the study findings.

The proposed regulations were presented to the Commission at their November 2, 1989 meeting in Sacramento. After discussion, the Commission moved to set a public hearing on the matter for January 18, 1990.

The required legal notice announcing the public hearing was distributed statewide as POST Bulletin 89-19. See Attachment C.

RECOMMENDATION

Subject to input at the public hearing, adopt new regulations as proposed effective 30 days after the date that the Office of Administrative Law (OAL) approves the regulations.

1 domestic violence incident or is not retained because it
2 was illegally possessed, the firearm shall be made
3 available to the owner or person who was in lawful
4 possession 48 hours after the seizure or as soon thereafter
5 as possible, but no later than 72 hours after the seizure.
6 In any civil action or proceeding for the return of
7 firearms or ammunition seized by any state or local law
8 enforcement agency and not returned within 72 hours,
9 the court shall allow reasonable attorney's fees, not to
10 exceed one thousand dollars (\$1,000), to the prevailing
11 party.

12 (c) Any firearm which has been taken into custody
13 which has been stolen shall be restored to the lawful
14 owner, as soon as its use for evidence has been served,
15 upon his or her identification of the firearm and proof of
16 ownership.

17 (d) Any firearm taken into custody and held by a
18 police, university police, or sheriff's department or by a
19 marshal's office, for longer than 12 months and not
20 recovered by the owner or person who has lawful
21 possession at the time it was taken into custody, shall be
22 considered a nuisance and sold or destroyed as provided
23 in subdivision (c) of Section 12028.

24 SEC. 40. Section 13526 is added to the Penal Code, to
25 read:

26 ~~13526.~~ In no event shall any allocation be made from
27 the Peace Officers' Training Fund to a local government
28 agency if the agency was not entitled to receive funding
29 under any of the provisions of this article, as they read on
30 December 31, 1989.

31 SEC. 41. Article 4 (commencing with Section 13540)
32 is added to Chapter 1 of Title 4 of Part 4 of the Penal
33 Code, to read:

34

35 Article 4. Peace Officers

36

37 ~~13540.~~ Any person or persons desiring peace officer
38 status under Chapter 4.5 (commencing with Section 830)
39 of Title 3 of Part 4 who, on January 1, 1990, were not
40 entitled to be designated as peace officers under Chapter

1 4.5 shall request the Commission on Peace Officer
2 Standards and Training to undertake a feasibility study
3 regarding designating that person or persons as peace
4 officers. The request and study shall be undertaken in
5 accordance with regulations adopted by the commission.
6 The commission may charge any person requesting a
7 study, a fee, not to exceed the actual cost of undertaking
8 the study. *Nothing in this article shall apply to or*
9 *otherwise affect the authority of the Director of*
10 *Corrections, the Director of the Youth Authority, or*
11 *Secretary of Youth and Adult Correctional Agency to*
12 *designate peace officers as provided for in Section 830.5.*

13 ~~13541~~ Any study undertaken under this article shall
14 include, but shall not be limited to, the current and
15 proposed duties and responsibilities of persons employed
16 in the category seeking the designation change, their
17 field law enforcement duties and responsibilities, their
18 supervisory and management structure, and their
19 proposed training methods and funding sources.

20 ~~13542~~ In order for the commission to give a favorable
21 recommendation as to a change in designation to peace
22 officer status, the person or persons desiring the
23 designation change shall be employed by an agency with
24 a supervisory structure consisting of a chief law
25 enforcement officer, the agency shall agree to comply
26 with the training requirements set forth in Section 832,
27 and shall be subject to the funding restriction set forth in
28 Section ~~10334~~. The commission shall issue the study and
29 its recommendations to the requesting agency within 18
30 months of the request if the request is made in
31 accordance with the regulations of the commission. A
32 copy of that study and recommendations shall also be
33 submitted to the Legislature.

34 SEC. 42. Section 10334 of the Public Contract Code is
35 amended to read:

36 10334. (a) No state employee shall purchase any
37 goods, supplies, equipment, or materials from the state,
38 unless the goods, supplies, equipment, or materials are
39 offered to the general public in the regular course of the
40 state's business on the same terms and conditions as those

BILL ANALYSIS

State of California, Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1801 Alhambra Boulevard
Sacramento, California 95816-7083

R SUBJECT Recategorize: Peace Officers	AUTHOR Senator Presley	BILL NUMBER SB 353
	RELATED BILLS Preprint SB 12	DATE LAST AMENDED 8-21-89

SPONSORED BY Peace Officers' Research Association of California

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

Note: The comments in this analysis are limited to only those portions of the bill relating to the Commission on Peace Officer Standards and Training (POST).

General

Senate Bill 353 would:

1. Prohibit the Commission on Peace Officer Standards and Training (POST) from reimbursing a local agency, after passage of the bill, unless the agency was entitled to receive POTF funding as of December 31, 1989.
2. Require POST to do a feasibility study, and charge a fee not to exceed the actual cost of the study, for any person or persons desiring peace officer status after January 1, 1990 and to issue recommendations to the Legislature within 18 months.

Analysis

This legislation, among other things, would prohibit POST from reimbursing a local agency, after 1-1-90, unless the agency was eligible to receive Peace Officer Training Fund (POTF) funding as of December 31, 1989.

This legislation would also require POST to conduct a feasibility study for any person or persons desiring peace officer status after 1-1-90 and to issue recommendations to the Legislature within 18 months. POST could charge a fee not to exceed the cost of the study.

At the present time, local agencies can become eligible to receive funding for training from the POTF by passage of a law which includes the requesting type of agency in the list of agencies eligible for reimbursement. This legislation would only have effect until modified or deleted by future legislation.

Traditionally, requests for peace officer status have been introduced, piecemeal, in the form of bills which the Legislature

OFFICIAL POSITION

Support POST portion of bill.

ANALYSIS BY <i>Thomas</i>	DATE 8-30-89	REVIEWED BY	DATE
ADJUTANT DIRECTOR <i>Thomas C. Beebe</i>	DATE 8-30-89	COMMENT	DATE

then reviewed and acted upon in response to the degree of support or opposition. This legislation is designed to provide a means for supplying factual information, in the form of a report, to assist the legislature in making such decisions.

Comments

Heretofore, POST's responsibilities have been limited to selection, training, and management counseling services. This bill would add an additional responsibility to POST but would provide that a fee could be charged to recover actual costs of conducting studies for persons desiring peace officer status.

If the Legislature is desirous of having requests for peace officer status be studied by an agency, POST would appear to be an appropriate choice. For this reason, it seems appropriate that the Commission support the portion of this legislation that pertains to POST.

REGULATIONS

1019. Feasibility Studies for Peace Officer Status Requests(a) Request for Feasibility Study

- (1) Any person or persons desiring peace officer status under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 4 shall request in writing the Commission undertake a feasibility study regarding designating that person or persons as peace officers.
- (2) The written request shall include a statement that the entity requesting the study agrees to pay the actual cost of conducting the study and to provide POST with necessary information to conduct the study.
- (3) The department head of the entity employing the person or persons requesting the feasibility study shall endorse the request in writing.

(b) Determining actual study costs

- (1) Fees to cover the actual costs of completing the feasibility study, including the report and recommendations, shall be determined in accordance with Sections 8752 and 8752.1 of the State Administrative Manual

Authority: Penal Code Sections 13503, 13506 and 13540

Reference: Penal Code Sections 13540, 13541, and 13542

(c) Payment of fees

(1) Fees shall be paid upon completion of the feasibility study report and recommendations and prior to its release to the requesting entity.

(d) Studies shall be conducted in accordance with P. C. Section 13541.

(e) Favorable recommendations for peace officer status shall be made in accordance with P. C. Section 13542.

(f) The time limits for completion and issuance of the study report and recommendations shall be in accordance with P. C. Section 13542.

(g) Procedures for appeal of findings

(1) If there is disagreement with the study recommendations, the person or persons requesting the feasibility study may appeal in writing to the collective members of the Commission.

(2) Requests for appeals will be acknowledged in writing.

(3) Initial appeals will be heard within four months, after the request is received by the Commission, and a decision shall be rendered within six months of receipt of the appeal.

Authority: Penal Code Sections 13503, 13506 and 13540.

Reference: Penal Code Sections 13540, 13541, and 13542

Commission on Peace Officer Standards and Training

PUBLIC HEARING: FEASIBILITY STUDIES FOR PEACE OFFICER
STATUS REQUESTS

STATEMENT OF REASONS

Effective January 1, 1990, Sections 13540, 13541 and 13542 are added to the Penal Code. Section 13540 requires the Commission to adopt regulations for undertaking feasibility studies regarding designating persons as peace officers.

Previously, persons desiring peace officer status had enabling legislation introduced to provide this designation. This resulted, through the years, in a hodgepodge of peace officer classifications at both the local and state level. Persons performing similar duties were frequently excluded from peace officer status because they were not specifically named in the legislation. This practice, in turn, caused new requests annually for peace officer status as persons sought parity with other positions. In addition, the safety member retirement eligibility made possible by peace officer designation is an enhanced job benefit sought by many.

In order for the Legislature to make informed decisions regarding requests for peace officer designation, the Commission on Peace Officer Standards and Training is required, under the authority of Penal Code Section 13540, to undertake feasibility studies and submit the findings and recommendations to the Legislature.

To implement the provisions of Penal Code Sections 13540, 13541 and 13542, it is proposed that Section 1019 be added to the POST regulations to specify:

1. Any person or persons desiring peace officer status under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 4 of the Penal Code shall request in writing the Commission undertake a feasibility study regarding designating that person or persons as peace officers.

This will establish a written procedure for requesting feasibility studies and will document the date that the request is made as well as recording the name of the requesting person or persons.

2. The written request shall include a statement that the entity requesting the study agrees to pay the actual cost of conducting the study and to provide POST with necessary information to conduct the study.

This provision will provide for reimbursement of the actual costs including direct and indirect costs that the Commission will incur for completing the

feasibility study. In order for the study to be complete and factual, necessary information must be supplied by the entity requesting the study.

3. The department head of the entity employing the person or persons requesting the feasibility study shall endorse the request in writing.

This procedure will ensure that the department head employing the person is aware that a request is made for peace officer status. Changes to peace officer designation can have significant implications for the entity employing the persons. Such requests may be governed by collective bargaining procedures and increased costs could be incurred to the entity if safety retirement membership is included. The purchase of certain safety equipment could also become necessary with peace officer designation.

4. Fees to cover the actual costs of completing the feasibility study, including the report and recommendations, shall be determined in accordance with Sections 8752 and 8752.1 of the State Administrative Manual.

This provision will insure that the Commission does not incur unrecoverable costs for conducting feasibility studies. The actual costs, including both direct and indirect, will be determined in accordance with state regulations and will be paid to the Commission by the person or entity requesting the study for peace officer designation.

5. Fees shall be paid upon completion of the feasibility study report and recommendations prior to its release to the requesting entity.

This provision will insure that the costs for conducting the study are recovered by the Commission. If a study report is released prior to the payment, the person requesting the study may refuse to pay for its cost if the recommendations are not to that person's satisfaction.

6. Studies shall be conducted in accordance with Penal Code Section 13541.

Studies shall include, but not be limited to, the current and proposed duties and responsibilities of persons employed in the category seeking the designation change, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

This provision is necessary in order to determine that the job duties of the person or persons requesting peace officer status require peace officer designation. Knowledge of the supervisory and management structure will assist in determining job responsibilities and will verify that the person endorsing the study request is the department head of the specific entity. Since peace officers are required to have a minimum level of training, it is necessary to determine how the persons designated as peace officers will be trained and the source of the funds to be used for the additional training requirements.

7. Favorable recommendations for peace officer status shall be made in accordance with Penal Code Section 13542.

Persons requesting peace officer status should be aware of the requirements for recommending peace officer designations so that unnecessary requests will not be made when there is significant likelihood that a favorable recommendation will not be made. Entities receiving peace officer status require a supervisory structure to insure compliance with rules and regulations as well as operational and supervisory oversight. In addition, the entity needs a chief law enforcement officer to oversee the overall statutory responsibilities of peace officer designees.

Since peace officers are required to receive a prescribed course of training in accordance with Penal Code Section 832, the entity employing persons seeking peace officer designation must agree to provide this required training. If the entity is not eligible to receive training funds from the Peace Officer Training Fund as of December 31, 1989, the entity must provide the funds from other sources to complete the required peace officer training.

8. The time limits for completion and issuance of the study report and recommendations shall be in accordance with Penal Code Section 14542.

This procedure is required to establish a timely response to requests for peace officer designations. The study report and recommendations must be issued to the requesting entity and the Legislature within 18 months of the request and insures that the request is made in accordance with Commission regulations.

9. If there is a disagreement with the study recommendations, the person or persons requesting the feasibility study may appeal in writing to the

collective members of the Commission. Requests for appeals will be acknowledged in writing by the Commission. Initial appeals will be heard within four months, after the request is received by the Commission, of the request for appeal, and a decision shall be rendered within six months of receipt of the appeal.

This procedure will provide a means for resolving any disputes involving the study findings or recommendation. A written acknowledgement to the person appealing the study recommendations will document receipt of the appeal. Since the Commission only meets quarterly, and a public notice must be made in advance of scheduled Commission meetings, a maximum of four months' time is necessary to insure that any appeal will be heard on a timely basis. Appeal decisions made by the Commission require additional time for completion and issuance of a written response to the person requesting the appeal. To accomplish this, decisions shall be rendered within six months of receipt of the appeal, or sooner whenever possible.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 17, 1989

BULLETIN: 89-19

**SUBJECT: PUBLIC HEARING - FEASIBILITY STUDIES FOR PERSONS
REQUESTING PEACE OFFICER DESIGNATION**

A public hearing has been scheduled in conjunction with the January 1990 Commission meeting:

Date: January 18, 1990
Time: 10:00 a.m.
Place: San Diego Harbor Marriott Hotel
San Diego, California

The purpose of the hearing is to consider the adoption of Commission regulations concerning the conduct of feasibility studies requested by any person or persons seeking peace officer designation.

Penal Code Section 13540 et seq, effective January 1, 1990, requires that all persons seeking peace officer designation through legislation shall first request a feasibility study by POST. The Commission is required to adopt regulations for undertaking feasibility studies regarding the designation of persons as peace officers. As described in the attached notice, regulations are proposed to implement the various provisions of this new law, including charging of fees, scope, and procedures for the conduct of studies.

The Commission may adopt other changes based upon the public hearing proceedings and written comments received.

The Commission invites input on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

FEASIBILITY STUDIES FOR PEACE OFFICER STATUS REQUESTS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503, 13506 and 13540 of the Penal Code, and in order to implement, interpret or make specific Sections 13540, 13541 and 13542 of said code, proposes to adopt regulations in Chapter 2 of Title II of the California Code of Regulations. A public Hearing to adopt the proposed regulations will be held before the full Commission on:

Date: January 18, 1990

Time: 10:00 a.m.

Place: San Diego Harbor Marriott Hotel
San Diego, California

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Previously, persons desiring peace officer designation obtained a sponsor or contacted an author directly to introduce enabling legislation. Senate Bill 353, passed in 1989, added Sections 13540, 13541, and 13542 to the Penal Code, and requires that, effective January 1, 1990, a feasibility study and recommendations be forwarded to the Legislature whenever a person or persons seeks peace officer designation. This new legislation is designed to provide a means for supplying factual information to the Legislature, in the form of a report, for the purpose of assisting the Legislature to make decisions regarding the passage of legislation for peace officer designation.

The proposed Commission Regulation 1019 is designed to meet the requirements of Sections 13540, 13541, and 13542 of the Penal Code. The proposed additions include: (1) procedures for requesting POST to conduct a feasibility study for persons seeking peace officer designation; (2) the method for determining the actual study costs; and (3) procedures for appeal of findings. The regulations will also require that the scope of the study, the requirements for a favorable recommendation, and time limits for study completion be in accordance with Sections 13541 and 13542.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed

actions. All written comments must be received at POST no later than 4:30 p.m. on January 2, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST as to the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

FISCAL IMPACT ESTIMATES

1. Local Mandate Determination: None. The proposed regulations will impose requirements on persons seeking peace officer status. Local government entities may request feasibility studies, but requests are voluntary. There is no local mandate created by the proposed regulations that would require state reimbursement.
2. Estimate of Cost or Savings to Any State Agency: Requests for feasibility studies for peace officer status by state agencies are voluntary. Direct and indirect costs for conducting such studies by the Commission on Peace Officer Standards and Training are fully recovered from requesting entities that voluntarily request such studies.
3. Cost to Any Local Agency or School District That is Required to be Reimbursed by the State: None
4. Non-Discretionary Cost or Savings Imposed on Local Agencies: None

5. Cost or Savings in Federal Funding to the State: None
6. Impact on Housing Costs: None
7. Potential Cost Impact on Private Persons: None
8. Potential Adverse Economic Impact on Small Businesses: None

ALTERNATIVES CONSIDERED

In order to take this action, the Commission must determine that there are no available alternatives which would be more effective in carrying out the purpose for which the action is proposed or less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, at the above-listed address, or by telephone at (916) 739-5400.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Request for Public Hearing - Policy on Student Safety and Incorporating Commission Procedure D-10 Into Regulation		Meeting Date January 18, 1990
Bureau Training Program Services	Reviewed By Glen Fine	Researched By Hal Snow
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 12-28-89	Date of Report November 21, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve the setting of a public hearing for the April 1990 meeting to consider adopting a policy on student safety in POST-certified courses and incorporate Commission Procedure D-10 into regulation?

BACKGROUND

Many POST-certified courses require students to demonstrate and practice manipulative physical skills, e.g., shooting, driving, defensive tactics, etc. It is in these courses that student injuries occur from time to time. Such courses require a much higher degree of control and supervision than others. Liability for the training institution can result if proper supervision, safety equipment, and procedures are not present for the safe conduct of the course. Although most training institutions have these in place, they do so in varying degrees and forms.

This report suggests the need for the Commission to establish a policy on student safety and provide specific guidelines for course presenters to voluntarily follow.

ANALYSIS

The need for the establishment of a POST policy and specific student safety guidelines appears justified for the following reasons:

1. Considerable variation exists on student safety policies, supervision, equipment, and procedures among training institutions.
2. Safety policies and procedures are not universally in place and no specific Commission policy now guides staff certification actions in this regard.
3. Many POST organizations in other states are setting

safety guidelines for training presenters. Case law holding training institutions and standards setting organizations to the "highest standard of care" would suggest POST should similarly establish requirements or guidelines. Standardizing the most obvious and critical student safety protections would reduce potential for injuries and potential liability for training institutions.

It is proposed that the Commission adopt a policy that would require course presenters of manipulative skills to establish policies/practices that ensure student safety and encourage the use of POST suggested guidelines. The following is a proposed Commission policy:

"Presenters of certified courses containing manipulative skills shall establish POST-approved, written policies and procedures to ensure student safety. Policies and procedures shall minimally address: (a) Rules of Safety and Conduct, (b) Reporting Injuries, (c) Instructional Staff-to-Student Ratios, and (d) Adherence to Approved Expanded Course Outline. (Reference-POST Guidelines for Student Safety in Certified Courses.)

This policy addressed those aspects which are considered essential although other important factors are enumerated in the document "POST Guidelines for Student Safety in Certified Courses."

Should the Commission wish to adopt a safety policy, it would be appropriately located in Commission Procedure D-10 (Certification and Presentation of Training Courses) which is shown in Attachment A. The Office of Administrative Law has recommended that POST convert such procedures having regulatory effect to regulation in order to comply with state law. To accomplish this, a public hearing would be necessary to incorporate the above policy and existing provisions into regulation. Attachment B contains a proposed Notice of Public Hearing, Statement of Reasons, Bulletin and draft regulations. The draft regulations retains existing Commission policy and direction from existing Commission Procedure D-10 and adds the above safety policy as regulation. Should the Commission wish to set this matter for public hearing, the April 1990 meeting is recommended.

The draft guidelines set forth in the document "POST Guidelines for Student Safety in Certified Courses" (Attachment C) contains specific measures which can be taken to reduce the risk of student injuries arising from participation in certain psychomotor skills training. Draft guidelines contained in this document currently focus on five areas of law enforcement training: Firearms, Defensive Tactics/Arrest Control Techniques, Driver Training, Chemical Agents and explosive devices. In

addition, the section on General Safety Guidelines includes such guidelines on written policies, student fitness for training, instructor attitude and demeanor, instructor training, and response to student injuries.

This document would be considered a "living document" in that changes would be expected to be made from time to time. It is not part of the public hearing as such. Developed with the input of subject matter experts and instructors, these guidelines reflect contemporary, conventional wisdom in the safe operation of such training. Training presenters could deviate from the guidelines. But certification requirements would entail POST approval of the presenters' safety procedures and policies.

RECOMMENDATION

Approve the setting of a public hearing for the April 1990 meeting to consider adopting a policy on student safety and incorporating Commission Procedure D-10 into regulation.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-10

CERTIFICATION AND PRESENTATION OF TRAINING COURSES

Purpose

10-1. Course Certification Program: This Commission procedure implements the Course Certification Program established in Section 1012(a) and (b) of the Regulations, which outlines the criteria for certification and presentation of POST courses.

Standards

10-2. POST Standards for Training: A primary responsibility of the Commission on Peace Officer Standards and Training (POST) is to establish minimum standards for the training of personnel in agencies that participate in POST training programs. In fulfilling this responsibility, POST conducts on-going evaluations of certified training courses to ensure continuing need and sustained quality.

Evaluating Course Proposals

10-3. POST Evaluation of Training: Each training course, for which reimbursement allowance is made to eligible law enforcement agencies for personnel training costs, or for which attendance is mandated by POST, shall be certified by POST. The process of course certification includes evaluation of those factors that justify the need for, and ensure the quality of, each training course. Factors evaluated include:

- a. Course content
- b. Qualifications of instructors and coordinators
- c. Adequacy of physical facilities
- d. Cost of course
- e. Potential clientele and volume of trainees
- f. Need and justification for course
- g. Time frame of course presentation
- h. Methods of course presentation
- i. Adequacy and availability of clerical and support staff
- j. Maximum trainees per session
- k. Adequacy of trainee testing or evaluation processes
- l. Appropriate instructor/trainee ratios

Policy

10-4. Statements of Policy: The following statements of policy shall govern the certification of courses by POST:

- a. Only those courses for which there is a definable and justifiable need shall be certified. The POST training resources are directed primarily toward the development of training according to the priorities identified by a needs assessment process. The need for training which is not thus identified must be substantiated by the requester.
- b. Funds allocated for training shall be expended judiciously and in the most cost effective manner possible.
- c. POST staff and course presenters shall develop and use appropriate means of evaluating course effectiveness.
- d. Courses shall not be certified which will be presented in conjunction with association or organizational meetings or conferences, nor shall courses be certified to associations which offer a one-time presentation if attendance is restricted to association members.
- e. POST will only endorse or co-sponsor courses, seminars, conferences or other programs, and grant permission to use POST's name, when POST takes part in the planning phase and assists in the development of the subject matter or program, and the selection of the instructors or speakers.
- f. POST will certify courses in management/labor relations, but will not certify courses to train management and/or employees in the techniques of labor negotiations.
- g. POST will certify courses for developing and improving teaching skills and expertise, but will not certify courses designed to meet state teaching credential requirements, as such

training is available from the University of California.

- h. POST will only certify courses with tuitions, fees and materials charges when all costs are fully disclosed. After a course is certified, POST reserves the right to review and approve or disapprove any subsequently proposed tuition, fee or material charge. This policy applies to both reimbursable and non-reimbursable charges.
- i. No course shall be certified which restricts attendance to a single agency unless the purpose of the course is for the improvement of a specific law enforcement agency, and attendance by non-members of that agency would jeopardize the success of the course.
- j. Contracts for courses shall be awarded competitively with the training to be presented in the most cost-effective manner possible, consistent with quality, cost, and need considerations.
- k. Contracts for courses shall be kept to a minimum and shall be entered into only when absolutely necessary.
- l. Course certification to out-of-state presenters shall be kept to a minimum, and only made on an exceptional basis and with Commission approval.
- m. Course certification shall be made on a fiscal year basis, subject to annual review.
- n. Training course certification and training activities shall be consistent with the Resource Management System.

Forms

10-5. Forms Used for Certification and Presentation of Training Courses: There are six forms to be used in requesting certification and in presenting a POST certified training course. The forms are:

- a. **Course Certification Request (POST 2-103):** Submitted by the course coordinator to POST and is the basis for obtaining certification of a training course.
- b. **Course Budget (POST 2-106):** Submitted with the Course Certification Request if tuition is to be charged for the course or the course is

proposed to be presented for POST under contract.

- c. **Course Announcement (POST 2-110):** Submitted to obtain POST approval for the initial presentation of a specific certified course and for each separate presentation thereafter.
- d. **Course Roster (POST 2-111):** Lists names of trainees attending a given class and is submitted to POST at the conclusion of each course.
- e. **Course Evaluation Instrument (POST 2-245):** Distributed by the course coordinator on the first day of the presentation and completed at the end of the course by each trainee. The completed forms are to be collected on the last day of the course and submitted to POST with the Course Roster (POST 2-111).
- f. **Training Reimbursement Request (POST 2-273):** This form is not actually used in certification or presentation of a course, but must be collected from POST reimbursable agency trainees attending a certified course presentation and forwarded to POST attached to the Course Roster. Such trainees who do not have the form during a course presentation should be instructed to have their agencies directly contact POST if reimbursement is desired. Trainees from agencies not in the POST Reimbursement Program will not submit this form to the course coordinator.

Each of the listed forms serves to accomplish a progressive step in ensuring that training courses are approved and presented in conformance with POST standards.

The forms will be furnished by POST upon request.

Certification Process

10-6. Obtaining Course Certification: Any person who wishes to have a course certified shall:

- a. Contact a POST training consultant for consultation on the proposed course.
- b. Prepare the Course Certification Request (POST 2-103).
- c. Prepare the Course Budget (POST 2-106) if the proposed course will require a tuition or is proposed to be presented under contract.

- d. Prepare an expanded course outline, indicating the subject main topics and sub-topics, with sufficient material to indicate technical information on the subject areas. This outline shall be more than a topical outline or synopsis but less than what is commonly known as a lesson plan or unit guide. Example formats are available from POST upon request.
- e. Prepare an hourly distribution schedule, indicating the days of the week, instructors, and topics scheduled during each specific time period. Example formats are available from POST upon request.
- f. Prepare a resume for each instructor that describes the person's education, job experience, teaching experience, and subjects taught.
- g. Submit the above completed forms and other required material to POST, which must be received by POST at least 60 days prior to the first planned presentation.

Recertification Process

10-7. Annual Recertification: Consistent with Commission policy, each certified course is reviewed prior to commencement of a new fiscal year. The review includes evaluation of continuing need for each course, currency of curricula, and continuing adherence to the terms of certification.

- a. A course that has not been presented within one year of the time of review shall be decertified unless exceptional justification exists for continuing certification.
- b. POST staff will assure that for each course for recertification POST files contain a current expanded course outline, hourly distribution schedule, and instructor resume(s).
- c. The presenter of each course shall provide POST with copies of all relevant documents necessary for review of course content and instruction, and shall provide information necessary to examine adherence to the terms of certification.

Certification Period

10-8. Certification Period: A course shall remain certified for a specified number of presentations during a fiscal year, provided that it is presented in the manner in which it is certified, and subject to the restrictions or stipulations stated by POST.

Valid Certification

10-9. Validity of Course Certification: A course that has been certified is valid for presentation only by the presenter receiving the certification, and is not transferable to another presenter.

Request for Changes

10-10. Certified Course Not to be Changed: A course, once certified under the conditions specified in the Course Certification Request and certification confirmation letter, is not to be changed or modified without prior POST approval. If a course change is necessary or desirable, any proposed change must be submitted to POST for approval prior to any change being implemented.

Basis for Reimbursement

10-11. Basis for Reimbursement of Certified Courses: Only a training course that is certified by POST and assigned a certification number is reimbursable.

Course Publicity

10-12. Proper Publicity: A course must be publicized under the title exactly as it is certified by POST. Titles must also conform to the POST designated classification. The POST seven digit course number should also be printed in any course announcements, brochures, bulletins, or publications, when circulating information about the course presentation, POST shall be clearly indicated as having certified the training course.

Course Numbering System

10-13. Course Numbering: Each course certified is assigned a seven digit Course Certification Number. The first three digits identify the presenter and the next four digits indicate the course category or type of training. For example, the Sacramento Training Center has a certified supervisory course. The Course Certification Number is 297-0040; 297 specifies the presenter, and 0040 indicates a supervisory course. Additionally, when a Course Announcement (POST 2-110) is forwarded to POST for approval of a specific presentation, an additional three digits are added to the Course Certification Number. The ten digit number then becomes a Course Control Number, and identifies a particular presentation of a specific course. A Course Control Number for the first presentation of the above example course is 297-0040-401.

Tuition Guidelines

10-14. Approved Expenses for Establishing Tuition:

The following guidelines are to be used by course coordinators and other individuals presenting or planning to present tuition-type and contract training programs certified by POST. These guidelines identify the expenses that may be approved in establishing the allowable tuition and contract costs, and are to be used in completing the Course Certification Request (POST 2-103), and Course Budget (POST 2-106) when requesting the initial certification or recertification.

The Budget Categories Worksheet, Pages 2 and 3 of the Course Budget (POST 2-106), shall be completed, listing the costs for each of the categories as applicable. Each category cost is to be totaled and entered on the Budget Categories Summary, Page 1 of the Course Budget. The Course Budget shall be submitted with the Course Certification Request (POST 2-103).

Direct costs are those allowable costs directly incidental to the development and presentation of a POST-certified course. The adopted guidelines for approved direct and indirect costs are as follows:

a. Instruction Costs:

- (1) Up to \$33 per hour for each certified hour of instruction per instructor. It is expected that fringe benefits and instructor preparation, when applicable, will be included in this amount.
- (2) Up to \$62 per instructional hour may be approved in instances of special need for particular expertise in an instructional area, based upon acceptable written justification from the presenter.

On those limited occasions where it may be necessary to obtain special expertise to provide executive level training, the maximum of \$62 per instructional hour may be exceeded upon prior approval of the Executive Director.

- (3) Normally, only one instructor per certified hour will be approved; however, team teaching may be approved by POST staff if deemed necessary. For the purposes of these guidelines, team teaching is defined as having two or more instructors in the classroom for actual teaching purposes and under those conditions which the particular subject matter, material, or

format of instruction may require, which may include workshops, exercises, or panel discussions. No coordinator or observer, while acting as such, will be considered simultaneously a teacher.

- b. **Development Cost:** Development cost for new courses and/or revision of courses when requested by POST may be negotiated by the presenter and POST with the approval of the Executive Director. The cost shall be prorated to all tuitions approved during the first fiscal year of the certification of the course or for an agreed upon number of presentations.
- c. **Coordination:** POST will pay fees for coordination based on the type of services performed. Coordination is categorized as: (1) General Coordination, and (2) Presentation Coordination.

General Coordination: General Coordination is the performance of tasks in the development, pre-planning, and maintenance of any certified course to be presented by a specific presenter. Maintenance includes: scheduling, selecting instructors, eliminating duplicative subject matter, providing alternate instructors/instruction as necessary, allocating subject time periods, evaluating instructors, selecting training sites, supervising support staff, and administrative reporting.

General Coordination fees may be charged as follows:

\$50 for each 8 hours, or portion thereof of a presentation not to exceed \$400

Presentation Coordination: Presentation Coordination is the performance of tasks related to course quality control, i.e., insuring attendance of instructors, identifying the need and arranging for the appearance of alternate instructors through the general coordinator when assigned instructors are not available, and being responsible for the development of a positive learning environment and favorable social climate. It is required that the Presentation Coordinator be in the classroom, or immediate vicinity, to resolve problems that may arise relating to the presentation of the course.

Presentation Coordination fees may be charged as follows:

~~\$25 per~~ **\$20 per** certified hour, which is normal, and

Up to \$20 per certified hour, with POST approval, supported by written justification showing a need for a greater degree of coordination expertise.

- d. **Clerical Support:** Clerical hourly rates may be allowed up to \$10 per hour based on the following formula:

Certified Course Length	Clerical Support
24 hours or less	40 hours maximum
25 to 40 hours	50 hours maximum
Over 40 hours	100 hours maximum

- e. **Printing/Reproduction:** Actual expenses for brochure and handout printing or reproduction may be allowed. Expenses shall include a per sheet cost breakdown.
- f. **Books/Films/Instructional Materials:** Actual expenses may be allowed provided each expense is identified. Expendables, such as programmed tests, may be allowed in the same manner. Textbooks may be purchased and a one-time expenditure may be allowed for textbooks which will be used in future class presentations. If the course is decertified, or if the texts are no longer necessary in this course, they shall be delivered to POST for disposition within a reasonable period of time, at the expense of the training institution.

Films and other expensive instructional aids should normally be rented or obtained without charge from the various sources available. If a purchase is necessary, and authorized by POST, such materials shall remain the property of POST.

- g. **Paper/Office Supplies/Mailing:** Actual expenses may be allowed provided each expense is identified.
- h. **Coordinator/Instructor(s) Travel:** An estimate is to be made of the necessary travel expenses for advance budget approval. Expenses for local area travel are allowed only when travel exceeds 25 miles one way or if travel is necessary to an additional course site. If a course presentation is authorized out of the

immediate vicinity of the presenter's local area, travel expenses may be allowed in accordance with existing State regulations covering travel and per diem.

- i. **Miscellaneous:** Any other cost of materials and other direct items of expense acquired that can be identified, justified, and approved by POST may be allowed.
- j. **Indirect Costs:** Indirect costs are allowable costs for services not easily assignable as direct costs but have an actual cost relatedness to the service to be provided. These may include such items as general administration or use allowances. Indirect costs may not exceed 15% of the total direct costs.
- k. **Calculation of Tuition:** All budgeted costs for one presentation are added to determine the total cost. The total cost is then divided by the maximum number of students, which determines the tuition cost per student.

POST policy allows a course administrator to exceed maximum enrollments up to 20 percent on a given presentation. This is done to accommodate for unavoidable under-enrollment due to students who do not show up or who cancel their reservations. It is the presenter's responsibility to monitor over-enrollment in a POST certified tuition course so that by the end of the certification period, and as nearly as possible, the total number of students does not exceed the maximum number established by the terms of certification.

As an example, in a certification period a course is certified for four presentations with a maximum number of students of twenty-five for each presentation. At the end of the certification period, if all four authorized presentations were presented, the total number of students who attended should not exceed one hundred.

Over-enrollment that is not properly managed and adjusted during the certification period may result in one of the following:

- (1) Reduction of tuition
- (2) Require presentation(s) without tuition
- (3) Require presenter to provide prorated refunds to trainees
- (4) Decertification of course.

Certification Request Process

10-15. Certification Submission to POST: The Course Certification Request (POST 2-103) along with supporting documents enumerated in 10-6 and/or 10-7 above shall be received by POST at least 60 days prior to the first planned presentation.

- a. **Review by POST Staff:** After review and processing by POST staff, the Course Certification Request shall be submitted with recommendations to the Executive Director for action. The Executive Director has the option of: (1) certifying the course; (2) not certifying the course; (3) certifying the course with modifications or stipulated conditions; or (4) deferring action until a later date. The applicant will be notified in writing of the Executive Director's decision.
- b. **Executive Director Action:** The Executive Director shall report all courses newly certified to the Commission at the next regular Commission meeting. Any person who has applied to have a course certified and is not satisfied with the decision of the Executive Director may appeal it the decision to the Commission. The applicant may appear before the Commission and offer oral testimony in the appeal.
- c. **Appearance Before the Commission, Notification:** An applicant for certification of a course wishing to appear personally before the Commission should so notify the POST Executive Director in writing at least 45 days before the scheduled Commission meeting.
- d. **Time and Place of Commission Meeting:** Commission meetings are normally held quarterly. The date, time and location of a scheduled Commission meeting may be obtained by contacting the POST Executive Office.

**Instructions for Completion of
Course Certification Request**

10-16. Instructions for Completion of Course Certification Request (POST 2-103): The numbers preceding the paragraphs that follow correspond to the numbered spaces on the form:

1. **Agency Submitting Request:** Enter name of school, agency, individual, or firm submitting the request for course certification.

2. **Course Title:** If course has a descriptive title, other than POST category, enter the title.
3. **College Affiliation:** If course is given by a non-college agency but is affiliated with a college or university, enter the name of that college or university.
4. **POST Course Category:** Enter the POST category of course, i.e., Basic, Advanced Officer, Supervisory.
5. **Course Length in Hours:** Enter the total training hours in course.
6. **Format:** Enter the chronological arrangement of the course: hours per day, days per week, and number of weeks.
7. **Presentations Per Year:** Enter the number of times this particular course will be given each fiscal year, July 1 to June 30.
8. **Units Granted; Semester, Quarter:** Enter the number of semester or quarter units granted for the course.
9. **Participating Law Enforcement Agencies and Estimated Number of Trainees from Each Agency:** List the law enforcement agencies that have committed personnel to attend this course, and the yearly estimated number of personnel attending from each agency.
10. **Enrollment Restrictions:** Enter any prerequisites necessary for admittance to the class, e.g., preparatory training, approval of chief, sworn police officer, etc.
11. **Maximum Number of Students:** Enter the maximum number of trainees that will be permitted to enroll in each class.
12. **Is Residency Required:** Check appropriate space to indicate whether or not the trainee is required to reside at the course site.
13. **Living Accommodations:** Check the appropriate space to indicate where living accommodations are available. If the course is one which the trainees commute daily, check "Not Applicable."
14. **Costs:** State any tuition, fees or material costs in the appropriate space. If tuition is charged, this request must be accompanied by a detailed course budget. If there are costs other

than tuition, meals and lodging, give details in narrative (space 18).

15. **Address of Course Site:** Enter address where course is to be actually presented. If course is to be presented at several different locations, write "several" and give details in narrative (Space 18).
16. **Facilities--Number and Size of Classrooms:** Enter the number and size (dimensions) of classrooms in which the course will be presented.
17. **Total Seating Capacity:** Enter seating capacity of the room where class will be presented.
18. **Course Objective and Narrative Description of Course:** Enter precisely, the objective of the course. Present any relevant feature of the course not stated elsewhere. Narrative description is optional. Attach expanded course outline and hourly distribution schedule. Lesson plans are to be kept on file at the presenters facility for POST inspection.
19. **Method of Presentation:** Enter all instructional techniques to be utilized in presenting the training course.
20. **Number of Instructors:** Enter the number of instructors to be used and attach a brief resume of each instructor's education, job experience, and teaching experience.
21. **Training Aids Used:** Enter the training aids to be used.
22. **Texts and Reference Material:** Enter the textbooks or other reference material to be used.
23. **Required Project:** Enter any required project.
24. **Method of Evaluating Stated Objectives:** Enter how achievement of course objectives will be evaluated and measured, e.g., written examination, performance examination, critique, etc.
25. **Name and Title of Person Requesting Course Certification:** Self-explanatory.
26. **Date of Request:** Self-explanatory.

Instructions for Completion of Course Budget

10-17. Instructions for Completion of Course Budget (POST 2-106): The Course Budget is to be submitted only for tuition-type and contract training programs. See PAM Section D-10-14 for tuition guidelines.

Course Announcement Process

10-18. Course coordinators who wish to present a course of instruction which is currently certified by POST must prepare and submit a Course Announcement (POST 2-110). The course shall not be presented until the Course Announcement has been approved by POST and returned to the course coordinator.

- a. **Deadline for Submission:** The Course Announcement must be submitted to POST at least 30 calendar days, but not more than 60 days, prior to the offering of the course. An hourly distribution schedule must be attached to each Course Announcement.
- b. **Course Control Number:** After the Course Announcement has been reviewed and approved by POST, the final digits are added to the course certification number. This action changes the course certification number to a course control number and identifies a particular offering of a specific course. The course control number must be used when making any references pertaining to a particular course offering.
- c. **Sequence for Submission:** Each time a course is offered, a new Course Announcement and hourly distribution schedule must be submitted for approval.
- d. **Concurrent Sessions:** In those instances where two sessions of the same certified course are scheduled to run concurrently, two Course Announcement forms must be submitted. In the Comment Section of each Course Announcement, a remark should be made to the effect that this is one of two sessions of the same course being conducted concurrently.
- e. **Modification Procedures:** If, subsequent to POST having approved a Course Announcement, the course coordinator becomes aware of a need to make any course changes, such as dates of presentation, scheduled times, presentation location, or hours of presentation, POST must be contacted for approval prior to

the presentation. Corrections for Course Announcements/Rosters (POST 1-140) may be used for this notification.

- f. **Approval:** Once the Course Control Number is assigned by POST to a particular course presentation, it is recorded on the Course Announcement and a copy of the form is returned to the coordinator. The returned Course Announcement constitutes course approval and is the basis for the presentation of a certified course.

Instructions for Completion of Course Announcement

10-19. Instructions for Completion of Course Announcement (POST 2-110): The Course Announcement shall be completed and submitted to POST each time a certified course is to be presented. Complete each lettered space on the form.

- a. **Course Certification Number:** Enter the POST-approved course certification number for the course.
- b. **Certified Course Title:** Enter the title approved by POST and as shown in the *Catalog of Certified Courses*, PAM Section D-14.
- c. **Course Presenter:** Enter the name of the school, agency, individual, or firm authorized to present the course as indicated on the Course Certification Request.
- d. **Address Where Course Will be Presented:** Enter the address where the main course of instruction will take place.
- e. **Course Presentation Dates and Times:** Enter the dates and times the course is scheduled to begin and end.
- f. **Basic Course Only-List Dates of Driver Training:** If the Course Announcement is for a Basic Course presentation, enter the dates of the "behind the wheel" driver training. This information will be used to determine if a trainee completed this training and whether his/her agency is eligible for reimbursement of the Driver Training fee.
- g. **Total Certified Hours:** Enter the total number of hours approved on the Certification Confirmation Letter.
- h. **Hours for This Presentation:** Enter the number of hours of instruction for this course presentation.
- i. **Total Number of Training Days:** Enter the number of classroom days that training will be presented.
- j. **Maximum Enrollment:** Enter the maximum number of trainees that will be allowed to enroll for this course presentation. This must conform to the maximum number of students permitted by the course certification.
- k. **List Dates That Class Will Not be Held:** Enter as appropriate. Particular attention should be paid to local or school district holidays in addition to legal holidays. It is not necessary to list weekend dates unless they would be normal class days.
- l. **Tuition:** Enter the POST-approved tuition amount charged per trainee or per agency for this course presentation. For Basic Course presentations enter the amount charged for the driver training portion of the course. If the amount varies per student trainee for any reason i.e., tuition was less because agency vehicle will be used for driver training, explain in comments (space P).
- m. **Travel:** Enter number of miles from the training site to the closest off-campus accommodation if the closest affordable lodging accommodation is greater than 5 miles away.

Occasionally trainees are required to travel to locations away from the normal training site, i.e., to a shooting range. If this course presentation includes training at another location, complete the spaces on the form as follows:

- (1) Indicate if a trainee must provide his/her own transportation to another site or if the course presenter has made arrangements for the transportation of trainees. If the latter is the case, explain the arrangements made and any cost to the trainee or agency.
- (2) Indicate the number of round-trip miles for one round trip to the other training site.

- (3) Enter the number of round trips required to attend training at another site.
- n. **Lodging:** If lodging is arranged by the presenter, provide information necessary for POST to process subsistence reimbursement by completing the applicable spaces.
- A mandatory lodging requirement indicates that all trainees are required to reside at the accommodations provided/arranged by the presenter with no exceptions.
- If the lodging accommodations arranged by the presenter cannot be provided for the full length of the course, it will be necessary at the end of the course to provide POST with an itemized report of the number of lodging days charged for each trainee. Situations of this type should be avoided if possible.
- o. **Meals:** If meals are arranged by the presenter, enter the daily meal charge, and check the applicable space(s) explaining what meals are provided for this charge. Check the applicable space indicating the days of the week meals are arranged by the presenter.
- p. **Comments:** Enter information that will serve to clarify or supplement the course presentation information.
- q. **Signature of Coordinator:** The course coordinator or designee must sign the Course Announcement.
- r. **Phone:** It is important that POST has the phone number of the coordinator in the event there is a need for additional data or clarification of information.
- s. **Name of Alternate:** The name of the coordinator's alternate is essential as a contact person when the coordinator is not available.

Course Roster Process

10-20. Purpose of Course Roster (POST 2-111): The Course Roster provides POST with a record of all trainees who have attended a POST-Certified Course. The information is used by the Reimbursement Section in approving reimbursements, and by the Certificate Section in maintaining training records and verifying training information for training points.

10-21. Procedures Required Upon Course Completion: A Course Roster Form (POST 2-111) must be prepared and submitted to POST after completion of each certified course presentation.

- a. **Deadline for Submission:** The Course Roster must be submitted to POST no later than seven calendar days following the ending date of the course.
- b. **Modification Procedures:** If subsequent to the submission of a Course Roster the course coordinator becomes aware of errors on the form submitted, he/she shall contact POST immediately about corrections. Corrections for Course Announcements/ Rosters (POST 1-140), may be used for this notification.
- c. **Forms to Accompany Course Roster:** The Course Roster must be submitted to POST with:
 - (1) The Course Evaluation Instrument (POST 2-245), that was completed by each trainee listed on the roster. These forms should not be stapled to the roster form.
 - (2) The Training Reimbursement Request (POST 2-273) must be collected from trainees at the beginning of the course. These forms should be stapled together with the Course Roster on top.

Instructions For Completion of Course Roster

10-22. Instructions For Completion of Course Roster (POST 2-111): The Course Roster is to be completed and submitted to POST each time a certified course has been presented.

Enter the appropriate information in the lettered sections of the form for each trainee attending the course presentation. Ditto marks may be used where appropriate.

- a. **Course Control Number:** Enter the course control number assigned by POST on the approved Course Announcement (POST 2-110).
- b. **Course Presenter:** Enter name of the school, agency, individual or firm authorized to present the course as indicated on the course certification.

- c. **Course Presentation Dates:** Enter beginning date and ending date of training.
- d. **Name of Trainee:** Enter the names of all trainees enrolled in this course by last name, first name, middle initial. Names should appear in the same order as on the Training Reimbursement Requests, (POST 2-273) attached behind the Course Roster. Trainees whose employers are not eligible for reimbursement should be listed in alphabetical order on the roster following the names shown on the Training Reimbursement Request forms.
- e. **Social Security Number:** Enter each trainee's social security number. This number will be used on appropriate POST records as a reliable identifier.
- f. **Trainee Status:** If the trainee's name did not appear on a Training Reimbursement Request form, check the most applicable box indicating the trainee's status. Brief definitions of each status follow:
 - (1) **Peace Officer** - Is an employee designated as a peace officer as described in Penal Code Chapter 4.5, starting at Section 830.
 - (2) **Non-Peace Officer** - Is a civilian, non-sworn employee that does not have authority to exercise peace officer powers.
 - (3) **Reserve Officer** - Is an individual appointed as a Level I, II, or III Reserve Officer as described in Section 832.6(a) of the Penal Code.
- g. **Department or Agency:** Enter the name of the current agency employing the trainee. If the trainee has no agency affiliation, enter "NONE".
- h. **Number Course Hours Attended:** Enter the total number of hours attended by the trainee. It is important that instructors keep a daily account of the trainee's hours of attendance, as the hours will affect the reimbursement process.
- i. **Satisfactory Completion?, (Y/N):** Enter an "X" in the appropriate column. An "X" in the "yes" column indicates the trainee successfully completed all the requirements of the course. When a trainee is reported as successfully completing but, has missed more than 5% of the certified hours of a Basic Course or 10% of the certified hours of other classifications of courses, a statement by the course coordinator must be attached to the Course Roster explaining how successful completion was accomplished.
- j. **Dates of Class Not attended by This Trainee:** Enter the date of any full-day of training that was not attended by the trainee for any reason. If the trainee does not attend several consecutive days, the range of days may be shown rather than an individual listing. If additional space is needed, attach an additional sheet of paper.
- k. **Reason for Absence/Failure:** Provide a brief explanation of the reason for absence or failure. If further explanation is required, attach an additional sheet of paper.
- l. **Lodging Billed:** Place an "X" in this space if the trainee resided in accommodations arranged by the presenter and will be billed the amount shown on the Course Announcement. If the per day rate for lodging varied from the amount shown on the Course Announcement, explain on a separate sheet of paper.
- m. **Meals Billed:** Place an "X" in this space if the trainee obtained meals arranged by the presenter and will be billed the amount shown on the Course Announcement. If the per day rate for meals varied from the amount shown on the Course Announcement, explain on a separate sheet of paper.
- n. **Signature of Coordinator:** The course coordinator or designee shall sign the Course Roster.
- o. **Date Approved:** Self-Explanatory.
- p. **Phone:** It is important that POST is provided the phone number of the coordinator in the event there is need for additional data or clarification of information.
- q. **Page of Pages:** Indicate the roster page number followed by the total number of roster pages submitted. This is done to account for all pages submitted.

February 4, 1990

BULLETIN: 90 -

SUBJECT: PUBLIC HEARING - STUDENT SAFETY REQUIREMENTS AND
INCORPORATION OF COMMISSION PROCEDURE D-10
(CERTIFICATION AND PRESENTATION OF TRAINING COURSES)
INTO REGULATION

A public hearing has been scheduled in conjunction with the April 19, 1990 Commission meeting in San Diego for the purpose of considering proposed regulation changes to adopt student safety requirements in POST certified courses and incorporation of Commission Procedure D-10 (Certification and Presentation of Training Courses) into regulation.

To reduce potential for student injuries, the Commission proposes to adopt into new Regulation 1083 (Certification and Presentation of Training Courses) a requirement that presenters of certified courses containing manipulative skills shall establish POST-approved policies and practices to ensure student safety. Presenters would be encouraged to use the safety guidelines specified in the publication POST Guidelines for Student Safety in Certified Courses. Within those policy guidelines, presenters would establish their own student safety measures consistent with the nature of training being presented. Initially, five psychomotor skill training areas are addressed: Firearms, Defensive Tactics/Arrest and Control Techniques, Driver Training, Chemical Agents, and Diversionary Devices.

This requirement would be appropriately located in Commission Procedure D-10 (Certification and Presentation of Training Courses). To comply with the Administrative Procedures Act, however, it is proposed that all of the existing provisions of Procedure D-10 having regulatory effect including the above proposed requirement on student safety be incorporated into new Regulations 1051-1058. No substantive changes are proposed to existing POST requirements for the certification and presentation of training courses.

The Commission may adopt other changes based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083 or by telephone at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

ADOPTING STUDENT SAFETY REQUIREMENTS IN POST-CERTIFIED
COURSES AND INCORPORATION OF COMMISSION PROCEDURE D-10
CERTIFICATION AND PRESENTATION OF TRAINING COURSES INTO
REGULATION

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code to interpret, implement, and make specific Sections 13519.2, 13510, and 13510.5 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title II of the California Administrative Code. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: April 19, 1990
Time: 10:00 a.m.
Place: Marriott Hotel
333 West Harbor Drive
San Diego, CA 92101-7709

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Injuries to students in POST-certified courses involving manipulative physical skills is a problem that suggests the need for POST to consider adopting policy and guidelines for course presenters to follow. Among training institutions, considerable variation exists on student safety policies, supervision, equipment, and procedures.

To reduce potential for student injuries, the Commission proposes to adopt into new Regulation 1055 (Requirement for Course Presentation) a requirement that presenters of certified courses containing manipulative skills shall establish POST-approved, written policies and procedures to ensure student safety. Policies and procedures shall minimally address: (a) Rules of Safety and Conduct, (b) Reporting Injuries, (c) Instructional Staff-to-Student Ratios, and (d) Adherence to Approved Expanded Course Outlines. Presenters would be encouraged to use the safety guidelines specified in the publication POST Guidelines for Student Safety in Certified Courses. Within those policy guidelines, presenters would establish their own student safety measures consistent with the nature of training being presented. Initially, five psychomotor skill training areas are addressed:

Firearms, Defensive Tactics/Arrest and Control Techniques, Driver Training, Chemical Agents, and Diversionary Devices. This requirement would be appropriately located in Commission Procedure D-10 (Certification and Presentation of Training Courses). To comply with the Administrative Procedures Act, however, it is being proposed that the existing provisions of Procedure D-10 having regulatory effect including the above proposed requirement on student safety be incorporated into new Regulations 1051 - 1058. No substantive changes are proposed to existing POST requirements for the certification and presentation of training courses including those related to: 1) Requirements for Course Certification, 2) Course Certification Request Process, 3) Course Certification Request and Review Process, 4) Requirements for Course Presentation, 5) Evaluation of Training Courses, 6) Annual Recertification, and 7) Appeals Process for Revocation and Denial of Course Certification. Existing Regulation 1012 (Certification of Courses) is proposed to be deleted as it would be incorporated into new regulations 1051 - 1058.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on April 2, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed test is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing or prior to the hearing upon request, in writing, to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The

information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

The Commission has determined that the proposed changes: 1) will have no effect on housing costs; 2) do not impose any new mandate upon local agencies or school districts; 3) involves no increased nondiscretionary costs of savings to any local agency, school district, state agency, or federal funding to the State; 4) will have no adverse economic impact on small businesses; and 5) involves no significant cost to private persons or entities.

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

PROPOSED REGULATION CHANGES - CERTIFICATION AND PRESENTATION OF COURSES

(Outline)

- 1012. Certification of Courses (delete)
- 1051. Course Certification Program
- 1052. Requirements for Course Certification
- 1053. Course Certification Request and Review Process
- 1054. Requirements for Course Tuition
- 1055. Requirements for Course Presentation
- 1056. Evaluation of Training Courses
- 1057. Annual Recertification
- 1058. Appeals Process for Revocation and Denial of Course Certification

PROPOSED CHANGES TO REGULATIONS - CERTIFICATION AND PRESENTATION OF COURSES

Changes/Additions/Deletions

Justification

1012. -- Certification of Courses

~~(a) -- The Commission may certify courses. -- Criteria for certification include, but are not limited to, a demonstrated need and compliance with minimum standards for curriculum, facilities, instructors and instructional quality. -- Because of the variety of courses provided by the Commission (e.g., firearms, chemical agents, defensive driving), specific standards for course certification and presentation will reflect the specific needs for the type of course certified.~~

Incorporated into new Regulation 1051-1052.

~~(b) -- Certification of courses may be revoked by action of the Commission when:~~

~~(1) -- There is no longer a demonstrated need for the course; or~~

~~(2) -- There is failure to comply with standards set forth in (a) above; or~~

~~(3) -- There are other causes warranting revocation as determined by the Commission.~~

1051. Course Certification Program

~~(a) The Commission administers the Course Certification Program to provide needed and quality training to law enforcement personnel. The Commission may certify courses.~~

Establishes the POST Course Certification Program (Reference Section 13503(e) of the Penal Code).

1052. Requirements for Course Certification

~~(a) Each training course, for which POST course certification is requested, shall be evaluated for those factors that justify the need for and ensure quality including:~~

~~(1) Course content~~

~~(2) Qualifications of instructors and coordinators~~

This is long-standing POST policy that has been effective in evaluating complex training course certification requests.

Each of these factors have been determined to be critical to the effectiveness of police training.

- (3) Adequacy of physical facilities
- (4) Cost of course
- (5) Potential clientele and volume of trainees
- (6) Need and justification of course
- (7) Time frame of course certification
- (8) Methods of course presentation
- (9) Adequacy and availability of clerical and support staff
- (10) Maximum trainees per session
- (11) Adequacy of trainee testing or evaluation processes
- (12) Appropriate instructor/trainee ratios
- (13) Provisions for student safety

(b) Only those courses for which there is a definable and justifiable need, as determined by a needs assessment process, shall be certified. The need for training which is not thus identified must be substantiated by the requester.

Purpose is to ensure that training is directed at law enforcement needs and not those of course presenters.

(c) Courses for which POST has established curriculum requirements must comply with those requirements. (Reference Regulation 1081)

POST prescribes curriculum standards for legislatively and POST-mandated training in order to standardize instruction.

(d) Courses shall not be certified which will be presented in conjunction with association or organizational meetings or conferences, nor shall courses be certified to associations which offer a one-time presentation if attendance is restricted to association members.

These circumstances do not lend themselves to a learning-conducive environment.

(e) POST will only endorse or co-sponsor courses, seminars, conferences or other programs and grant permission to use POST's name, when POST takes part in the planning phase and assists in the development of the subject matter or program, and the selection of the instructors or speakers.

It is necessary for POST to associate its name with training events in which it is actively involved in the planning, development, and selection of instructors.

(f) No course shall be certified which restricts attendance to a single agency unless the purpose of the course is for the improvement of a specific law enforcement agency, and attendance by non-members of that agency would jeopardize the success of the course.

Training effectiveness is generally enhanced when trainers are representative of multiple agencies. This promotes a rich diversity of perspectives in student interactions. Such course presenters are generally not cost competitive and California has a multitude of potential presenters.

(g) Course certification to out-of-state presenters shall be made only when a training need cannot be met by a California presenter.

(h) Contracts for courses shall be entered into when certification cannot meet the need. Contracts for courses shall be awarded on a competitive basis pursuant to Public Contract Code Sections 10339 and 10372 and shall require Commission approval.

Present courses through the contracting process is inefficient and more costly compared to the normal course certification process.

1053. Course Certification Request and Review Process.

(a) Course Certification Request. Any person or organization who wishes to have a course certified shall:

(1) Contact a POST training consultant prior to initiating the course certification process.

Ensures the opportunity for explanation of POST's requirements as well as screening of requests.

(2) Prepare and submit the following forms and related materials to POST before planning any presentations: (a) Course Certification Request Form (POST 2-103), (b) Instructor Resume Form (POST 2-290), (c) Course Budget (POST 2-106) if the proposed course will require a tuition or is proposed to be presented under contract, (d) Expanded Course Outline which minimally includes subject topics to the third level of detail, and (e) Hourly Distribution Schedule indicating the days of the week, instructors and topics scheduled during each specific time period (example formats are available from POST).

These forms are necessary for POST to evaluate the course certification request. They also ensure that a course has been thoroughly developed prior to it being offered.

(b) Course Certification Review.

(1) Within 10 working days from the receipt of the initial Course Certification Request Form and related materials the requester will be notified in writing that the request has been received and is being reviewed.

This permits the requester to be officially notified that POST has received the request and that it is being reviewed.

(2) Within 40 working days of the above notification, the requester will be notified in writing of the action taken on the request. POST has the options: (a) to certify the course, (b) not to certify the course, (c) to certify the course with modifications or stipulated conditions, or (d) defer action to certify. Any requester not satisfied with the certification decision may appeal under Regulation 1058.

The time period is necessary to afford a proper analysis and determination. Longstanding experience with this time period has revealed some requests can be processed in as little as 20 working days, while others have taken as long as 60 working days. The options for POST actions are provided to inform potential requesters.

1054. Requirements for Course Tuition. The following guidelines and requirements are to be used by course coordinators presenting or planning to present tuition-type and contract training courses certified by POST. These guidelines and requirements identify the expenses that may be approved in establishing allowable tuition or contract costs and are to be used in completing the Course Certification Request (POST 2-103) and Course Budget (POST 2-106) when requesting initial certification or recertification. The Budget Categories Worksheet, Pages 2 and 3 of the Course Budget (POST 2-106), shall be completed, listing the costs for each of the categories as applicable. Each category cost is to be totaled and entered on the Budget Categories Summary, Page 1 of the Course Budget. Guidelines for approved costs are as follows:

(a) Instructional Costs. Up to \$35 per hour for each certified hour of instruction per instructor may be claimed. It is expected that fringe benefits and instructor preparation, when applicable, will be included in this amount. Up to \$62 per instructional hour may be approved in instances of special need for particular expertise based upon written justification from the presenter. On those limited occasions where it may be necessary to obtain special expertise to provide executive level training, the maximum of \$62 per instructional hour may be exceeded upon prior approval of the Executive Director. Normally, only one instructor per certified hour will be approved; however, team teaching may be approved by POST staff if deemed necessary. No coordinator or observer, while acting as such, will be considered simultaneously an instructor.

(b) Development Cost. Development cost for new courses and/or revision of courses when requested by POST may be negotiated by the presenter and POST with the approval of the Executive Director. The cost shall be prorated to all tuitions approved during the first fiscal year of certification of the course or for an agreed upon number of presentations.

(c) Coordination. POST will allow costs for coordination based on the type of services performed. Coordination is categorized as: (1) General Coordination, and (2) Presentation Coordination.

This is necessary to provide guidance to potential requesters. Rates and requirements are based upon long-standing experience and are updated from time to time to reflect increases in cost of living changes.

These rates reflect contemporary expenditures by public and private training institutions, i.e., colleges and universities, which are the predominant presenters of POST-certified courses.

Based upon longstanding experience.

Based upon longstanding experience.

General Coordination: General Coordination is the performance of tasks in the development, pre-planning, and maintenance of any certified course to be presented by a specific presenter. Maintenance includes: scheduling, selecting instructors, eliminating duplicative subject matter, providing alternate instructors/instruction as necessary, allocating subject time periods, evaluating instructors, selecting training sites, supervising support staff, and administrative reporting. General Coordination costs may be charged at \$50 for each 8 hours, or portion thereof, of a presentation not to exceed \$400.

Presentation Coordination. Presentation Coordination is the performance of tasks related to course quality control, i.e., insuring attendance of instructors, identifying the need and arranging for the appearance of alternate instructors through the general coordinator when assigned instructors are not available, and being responsible for the development of a positive learning environment. It is required that the Presentation Coordinator be in the classroom, or immediate vicinity, to resolve problems that may arise relating to the presentation of a course. Presentation Coordination cost may be normally charged at \$12 per certified hour and up to \$20 per certified hour, with POST approval, supported by written justification showing a need for a greater degree of coordination expertise.

On-site coordinators must be in the classroom or immediate vicinity to effectively carry out expected duties.

(4) Clerical Support. Clerical hourly rates may be allowed up to \$10 per hour based on the following formula:

Based on longstanding experience.

<u>Certified Course Length</u>	<u>Clerical support</u>
<u>24 hours or less</u>	<u>40 hours maximum</u>
<u>25 to 40</u>	<u>50 hours maximum</u>
<u>Over 40 hours</u>	<u>100 hours maximum</u>

(5) Printing/Reproduction. Actual expenses for brochure and handout printing or reproduction may be allowed. Reproduction expenses shall not exceed 6 cent per sheet.

Experience has shown that this rate is acceptable.

(6) Books/Films/Instructional Materials. Actual expenses may be allowed provided each expense is identified. Expendables,

These requirements to return texts to POST is to ensure that State purchased property has maximum use for police training.

such as programmed texts, may be allowed in the same manner. Textbooks may be purchased and a one-time expenditure may be allowed for textbooks which will be used in future class presentations. If the course is decertified, or if the texts are no longer necessary in the this course, they shall be delivered to POST for disposition within a reasonable period of time. Films and other expensive instructional aids should normally be rented or obtained without charge from the various sources available. If a purchase is necessary, and authorized by POST, such materials shall remain the property of POST.

(7) Paper/Office Supplies/Mailing. Actual expenses may be allowed provided each expense is identified.

(8) Coordinator/Instructor(s) Travel. An estimate is to be made of the necessary travel expenses for advanced budget approval. Expenses for local area travel are allowed only when travel exceeds 25 miles one way or if travel is necessary to an additional course site. If a course presentation is authorized out of the immediate vicinity of the presenter's local area, travel expenses may be allowed in accordance with existing State regulations covering travel and per diem.

(9) Miscellaneous. Any other cost of materials and other direct items of expense acquired that can be identified and justified must be approved by POST.

(10) Indirect Costs. Indirect costs are allowable costs for services not easily assignable as direct costs but have an actual cost relatedness to the service to be provided. These may include such items as general administration or use allowances. Indirect costs may not exceed 15% of the total direct costs.

Indirect costs rate of 15% is satisfactory and is necessary to ensure fairness to course presenters.

(11) Calculation of Tuition. All budgeted costs for one presentation are added to determine the total cost. The total cost is then divided by the maximum number of students, which determines the tuition cost per student. POST allows a course

This information is necessary for the requester to complete POST forms. Requirements are for the purpose of ensuring that POST receives value in training services from course presenters.

coordinator to exceed maximum enrollments up to 20 percent on a given presentation. This is done to accommodate for unavoidable under-enrollment due to students who do not show up or who cancel their reservations. It is the presenter's responsibility to monitor over-enrollment in a POST certified tuition course so that by the end of the certification period, and as nearly as possible, the total number of students does not exceed the maximum number established by the terms of certification. Over-enrollment that is not properly managed and adjusted during the certification period may result in one of the following: (a) Reduction of tuition, (b) Require presentation(s) without tuition, (c) Require presenter to provide prorated refunds to trainees and (d) Decertification of course.

1055. Requirements for Course Presentation

(1) Term of Certification: Course certification shall be made on a fiscal year basis, subject to annual review. A course shall remain certified for a specified number of presentations during a fiscal year, provided that it is presented in the manner in which it is certified, and subject to the restrictions or stipulations specified by POST.

Fiscal year certification is necessary for budgetary planning. Limitations on presentations is also necessary for budgetary planning.

(2) Certification Non-Transferable: A course that has been certified is valid for presentation only by the presenter receiving the certification, and is not transferable to another presenter.

This is necessary to ensure course quality control and to preclude abuse.

(3) Proper Publicity: A certified course must be publicized under the exact title as it is certified by POST. The 13 digit POST course number should also be printed on any related course announcements, brochures, bulletins, or publications, when circulating information about the course presentation. It shall be clearly indicated on such materials that POST has certified the individual course offering.

This is necessary to ensure accuracy and completeness in course advertising.

(4) Request for Changes: A course, once certified under the conditions specified in the Course Certification Request and

This is necessary to ensure the integrity of the course approval and presentation process.

certification confirmation letter shall not be changed or modified without prior POST approval.

(5) Course Announcements: A Course Announcement (POST 2-110) shall be presented to POST for each proposed course presentation. The course shall not be presented until the Course Announcement has been approved by POST and returned to the course coordinator. The Course Announcement must be submitted to POST at least 20 working days, but not more than 40 working days, prior to the offering of the course. An hourly distribution schedule must be attached to each Course Announcement. After the Course Announcement has been reviewed and approved by POST, the final three digits are added to the course certification number. This action changes the course certification number to a course control number and identifies a particular offering of a specific course. The course control number must be used when making references pertaining to a particular course offering.

Course Announcements are necessary to effect the POST reimbursement and trainee record keeping processes. Time frames are necessary to facilitate POST approving Course Announcements.

(6) Approval: Once the Course Control Number is assigned by POST to a particular course presentation, it is recorded on the Course Announcement and a copy of the form is returned to the course coordinator. The returned Course Announcement constitutes course approval and is the basis for the presentation of a certified course.

(7) Concurrent Sessions: In those instances where two sessions of the same certified course are scheduled to run concurrently, two Course Announcement forms must be submitted. In the Comments Section of each Course Announcement, a remark should be made to the effect that this is one of two sessions of the same course being conducted concurrently.

Clarification is necessary to explain the process of concurrent sessions.

(8) Modification Procedures: If, subsequent to POST having approved a Course Announcement, the course coordinator becomes aware of a need to make any course changes, such as dates of presentation,

Modification procedures are necessary to effect course changes, which occur from time to time.

scheduled times, presentation location, or hours of presentation, POST must be contacted for approval prior to the presentation. Corrections for Course Announcements/Rosters (POST 1-140) may be used for this notification.

(9) Course Rosters: A completed Course Roster (POST 2-111) shall be prepared and submitted to POST after completion of each certified course presentation. The Course Roster must be submitted to POST no later than 10 working days following the ending date of the course. If subsequent to the submission of a Course Roster the course coordinator becomes aware of errors the coordinator shall contact POST immediately about corrections. Corrections for Course Announcements/Rosters (POST 1-140), may be used for this notification. The Course Roster must be submitted to POST with: (1) The Course Evaluation Instrument (POST 2-245), that was completed by each trainee listed on the roster, (2) POST Course Evaluation Instrument Control Sheet (POST F-375), and (3) the Training Reimbursement Request (POST 2-273).

(10) Requirements for Student Safety Policies and Procedures. Presenters of certified courses containing manipulative skills shall establish POST-approved, written policies and procedures to ensure student safety. Policies and procedures shall minimally address: (a) Rules of Safety and Conduct, (b) Reporting Injuries, (c) Instructional Staff-To-Student Ratios, and (d) Adherence to Approved Expanded Course Outline. (Reference - "POST Guidelines for Student Safety in Certified Courses")

(11) Lesson Plans for each topic must be kept on file at the presenter's facility for inspection by POST.

1056. Evaluation of Training Courses. POST staff shall develop and use appropriate means of evaluating instructional quality.

Course Rosters are necessary to effect the POST reimbursement and trainee record keeping processes. Time frame for submission is to facilitate timely (monthly) trainee reimbursement to employing agencies.

Injuries to students in this type of training have necessitated POST approving written policies and procedures relating to safety.

Permits POST inspection and facilitates the use of substitute instructors.

1057. Annual Recertification. Each certified course is reviewed prior to the beginning of a new fiscal year. The review includes evaluation of continuing need for each course, currency of curricula, adequacy of the facilities, adherence to safety guidelines, and continuing to the terms of certification. A course that has not been presented within one year of the time of review may be decertified unless substantiated need exists.

Annual recertification is necessary to review the previous year's experience. Criteria for evaluation is to ensure training effectiveness. Courses not presented generally need to be decertified to permit POST to maintain a current Catalog of Certified Courses.

1058. Appeals Process for Denial of Course Certification and Decertification. POST may deny course certification for reasons enumerated in Regulation 1052. Courses may be decertified by action of the Commission when: (1) There is no longer a demonstrated need for the course; or (2) There is failure to comply with standards set forth in this regulation; or (3) There are other causes warranting revocation as determined by the Commission.

An appeals process is necessary to ensure fairness and integrity of the POST Course Certification Program.

(1) Any person may appeal in writing any course certification/decertification decisions to the POST Executive Director. Written response to appeals shall be issued within 30 working days.

Permits the first level of appeal.

(2) Any person not satisfied with the decision of the Executive Director may appeal the decision to the Commission. The applicant may appear before the Commission and offer oral testimony in the appeal. The applicant wishing to appear personally before the Commission must notify the POST Executive Director in writing at least 30 working days before the scheduled Commission meeting. The time, date and location of quarterly Commission meetings may be obtained by contacting the POST Executive Office. Results of appeals before the Commission will be issued to applicants within 10 working days.

Permits two levels of appeals.

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POST

GUIDELINES FOR

STUDENT SAFETY

IN CERTIFIED

COURSES

November 28, 1989

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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

NOV 28 1989

POST GUIDELINES FOR STUDENT SAFETY
IN CERTIFIED TRAINING

1990

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NOV 28 1989

FOREWORD

The increasingly diverse challenges and changing service demands confronting the law enforcement professional in today's society mandate that officers keep themselves in a constant state of physical and mental readiness. On-going training is crucial to the maintenance of a viable crime suppression system, a dependable public safety service and a requisite tactical advantage.

Law enforcement training to be effective however, must closely replicate real life situations and problems. Training must sharpen manipulative skills as well as taxing the perception, knowledge and judgement of the officer. Law enforcement, unlike other professions, requires expertise in the use of lethal and non-lethal devices, mastery of personal defensive techniques, skilled driving under emergency conditions and familiarity with a diverse variety of tactical equipment.

The objective of this document is to identify specific measures which can be taken to reduce the risk of student injuries arising from participation in psychomotor skills training in POST certified courses. Although it may be impossible to prevent every injury, it is nonetheless essential to be overtly proactive in fostering the safest achievable training environment.

We sincerely appreciate the efforts and support of the many subject matter experts, core instructors, program coordinators and their respective agencies who worked directly with POST staff in the development of these guidelines.

Questions concerning this document should be directed to the Training Delivery Services Bureau at (916) 739-5394.

Norman C. Boehm
Executive Director

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College of the Redwoods
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INTRODUCTION

The guidelines contained in this document focus on five areas of law enforcement training involving psychomotor skill development. These specific areas were viewed as representing the greatest potential for student injury or the largest numbers of trainees.

These five areas are:

- Firearms
- Defensive Tactics and Arrest Control Techniques
- Driver Training
- Chemical Agent
- Flash Bangs and related devices

Other areas of instruction such as Special Weapons and Tactics Team training were viewed as generally encompassing one or more of the aforementioned areas.

The guidelines are intended to interrelate with existing curricula and no changes to training course content are addressed herein.

PART I

GENERAL SAFETY GUIDELINES

SECTION 1.0 APPLICATION OF GUIDELINES

Guideline 1.0

The guidelines contained in this document are specifically intended to apply to a training experience, as opposed to a true tactical event.

COMMENT: The spirit of these guidelines is to promote a high level of protection for students participating in psychomotor skills training within a controlled instructional environment. Some precautions suggested herein may be inadvisable or inappropriate during an actual tactical emergency situation.

SECTION 1.1 WRITTEN POLICY GUIDELINES

Guideline 1.1.1

Each presenter of POST certified courses involving psychomotor skills training shall implement a formal written safety policy.

COMMENT: Implementation of a formal policy addressing student and staff safety is fundamental to an effective risk management program. It is POST's intention to promote a proactive safety attitude among certified presenters and thereby reduce injury risk to the extent possible.

Guideline 1.1.2

Individual safety policies shall incorporate specific rules, procedures and protocols inherent to the presenter's unique training environment.

COMMENT: Development of certain specific safety procedures will depend upon the individual capabilities, physical facilities and ancillary services available to each presenter. Procedures for the disposal of "dud" explosive devices, for example, will vary widely depending upon these specific factors.

"Rules of the Range", albeit similar in many respects, may also differ among presenters due to the unique configuration and features of each range. These differences will necessitate identification of specific safety rules appropriate to each facility.

Guideline 1.1.3

At a minimum, students should be provided with a copy of the presenter's "Rules of Conduct and Safety" and instructors should be encouraged to verbally review these rules prior to any psychomotor skills training.

COMMENT: Presenters should satisfy themselves that students have an understanding of their particular safety rules and policies. Proper student conduct relating to safety issues can never be taken for granted.

Guideline 1.1.4

The presenters written policy should specify that students are required to report all injuries to the instructional staff.

Guideline 1.1.5

A summary of appropriate parts of the presenter's safety policy should be incorporated into the lesson plans of all psychomotor skills training courses.

Guideline 1.1.6

Students should all be provided with appropriate portions of the presenter's safety policy as part of the course handouts in psychomotor skill development courses.

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Guideline 1.1.7

The presenter's safety policy shall require that instructors adhere to the approved lesson plan.

COMMENT: Departures from the approved lesson plan, demonstrations of personally endorsed control techniques, introductions of untested shooting exercises and like changes in a certified course are rarely justified once a class is in session. Changes or substitution of curricula can invite unwarranted risk to students.

Proposed additions or changes in course content should be carefully evaluated and appropriately reviewed by the presenter before a course begins.

Changes in course content which impact the Expanded Course Outline must be submitted to POST for approval before implementation as required by POST regulations.

SECTION 1.2 STUDENT FITNESS FOR TRAINING

Guideline 1.2.1

Students should be queried to identify any pre-existing injuries or medical restrictions which may affect their ability to safely participate in training.

COMMENT: Students may report for training suffering from any number of medical conditions, injuries or physical limitations which can affect their ability to safely perform in a training course. While the instructor cannot be expected to make any medical judgments as to student fitness, it is nonetheless appropriate to formally make this inquiry before training begins.

Guideline 1.2.2

Students should be required to provide evidence of medical fitness for training when the instructor has doubts as to the student's ability to safely perform.

COMMENT: At times, students may report for training courses wearing casts or otherwise in a condition which raises doubts as to their vulnerability to injury. The ultimate responsibility for student safety, and the decision as to a student's eligibility to participate in training rests with the presenter.

When doubt exists as to the student's ability to safely perform, presenters should exclude the student from training. Evidence of medical fitness may include a clearance from a physician, attestation by the student's employing agency, or similar documentation which is acceptable to the presenter.

SECTION 1.3 INSTRUCTOR ATTITUDE AND Demeanor

Guideline 1.3.1

Instructors should demonstrate a proactive safety attitude and exhibit a professional demeanor at all times.

COMMENT: It is well recognized that leaders lead by example. It is impossible to engender safety consciousness among students if the instructor does not set the appropriate tone in the classroom. Instructor should emulate the motto "safety first".

Guideline 1.3.2

Instructor humility and self control are particularly crucial to the delivery of psychomotor skills training.

COMMENT: The spirit of the training experience is to impart knowledge and foster skill development. The instructor's attitude is fundamental to this objective.

Undue harshness in physical fitness training, for example, tends to undermine training effectiveness and often destroys a student's respect for career fitness.

SECTION 1.4 INSTRUCTOR TRAINING

Guideline 1.4.1

At least one member of the instructional staff involved in psychomotor skills training should be required to maintain current basic Emergency Medical Services Authority (EMSA), or equivalent, certification for the administration of First Aid and CPR.

Guideline 1.4.2

Instructors of defensive tactics, arrest control techniques, lifetime fitness, physical agility training and similar programs should be encouraged to pursue specialized training in exercise physiology and related subjects.

COMMENT: Advanced training in exercise physiology, cardio-vascular endurance development, kinesiology and related subjects will provide instructors with the background necessary to reduce the potential of student injuries. Participation in courses such as the POST Physical Training Instructor Program are encouraged.

SECTION 1.5 STUDENT INJURIES

Guideline 1.5.1

Each presenter of psychomotor skills training, as a condition of certification, shall have a specific operational plan detailing actions to be taken in the event of a student injury.

COMMENT: Specific procedures for responding to student injuries shall be incorporated directly into the presenter's written safety policy.

The injury response plan should also detail the presenter's specific requirements for a "return to training" medical release following a student injury.

Guideline 1.5.2

Full investigation of student injuries is encouraged to identify specific injury trends and any particularly high risk training practices or techniques.

COMMENT: Presenters are encouraged to collect appropriate statistics regarding injury trends or experiences for exchange with other presenters and POST. The spirit of this guideline is to foster an ongoing review of safety conditions.

Guideline 1.5.3

Any incident in which a student loses consciousness should precipitate a mandatory medical intervention and evaluation.

Guideline 1.5.4

Students who are relieved from training by virtue of an injury should not be allowed to return to training without an appropriate medical release.

COMMENT: The specific requirements of the medical release should be detailed in the presenter's injury response plan as required by Guideline 1.5.1.

Guideline 1.5.5

Instructors should be required document, in writing, details associated with any student injury which causes loss of time from the training course.

COMMENT: Injury patterns and trends should be periodically reviewed by the Instructional Staff, Coordinator and Presenter to eliminate any hazardous conditions which may be contributing to student injuries.

SECTION 1.6

INSTRUCTIONAL STAFF-TO-STUDENT RATIOS

Guideline 1.6.1

Presenters shall establish and identify Instructional Staff-to-Student Ratios for each psychomotor skills training category which they are certified to present.

COMMENT: The purpose of establishing Instructional Staff-to-Student Ratios is to insure adequate levels of supervision over persons engaged in psychomotor skills training.

As used in these guidelines, the expression "Instructional Staff" is meant to include Lead or Principal Instructors, Assistant Instructors, Training Assistants, Instructional Safety Officers, Rangemasters or other employee classifications as long as these persons maintain functional supervisory responsibility over students engaged in psychomotor skills training.

Instructional Staff-to-Student Ratios are not intended to be absolute. The differences among particular training experiences and specific training presenters prevent the identification or imposition of a defensible statewide ratio.

Presenters should however, consider the following specific factors when establishing Instructional-Staff-to-Student Ratios:

- The "intensity" or "pace" of the training experience

Instructor level training experiences, for example, will differ dramatically from introductory courses.

- Student familiarity with the material

The level of supervision necessary for first time exposure to the instructional material may, in some cases, vary from the level of supervision necessary over students involved in refresher training or on-going skills practice.

- Adequacy and characteristics of the training facility

Some training facilities, by their design, may permit a higher Instructional-Staff-to-Student Ratio without compromising student safety.

- Student injury potential

Application of some control holds, "high-impact" defense simulations and detonation of explosive devices inherently suggest a very low ratio.

- "Active" versus "Passive Students"

The degree of supervision necessary for students waiting to shoot, for example, is understandably different from the level of supervision required over students actually engaged in firing.

The provision of a safe training environment is the utmost consideration in POST's certification or re-certification decision. Presenters must be able to defend the reasonableness of their established Instructional-Staff-to-Student Ratios in light of the aforementioned considerations and any other relevant factors which may be unique to their training environment or practices.

SECTION 1.7 COURSE CURRICULA

Guideline 1.7.1

Presenters shall insure that the instructional staff follows the expanded course outline as filed with POST.

COMMENT: Departures from the approved curricula can promote student confusion, foster misapplication of critical techniques and lead to breaches in safety.

Guideline 1.7.2

Instructors should carefully follow the approved lesson plan to insure consistency and continuity.

COMMENT: Departure from the approved lesson plan can promote contradiction, instructor disagreements and misapplication of techniques. Improvisation is rarely justified and can potentially compromise student safety.

Guideline 1.7.3

No changes in course content which impact student safety shall be made without prior POST approval.

COMMENT: As required by POST Regulation D-10-10, no changes may be made to the content of a certified course without POST approval. Proposed modifications of the Expanded Course Outline must be approved before implementation as a condition of continued certification.

The spirit of this guideline is to insure that proposed curricula changes are carefully reviewed to prevent the inclusion of any training practice which may prove inappropriate or unsafe.

SECTION 1.8 COURSE PRESENTATION GUIDELINES

Guideline 1.8.1

Instructors should be encouraged to review the presenter's general safety rules with students as part of the all psychomotor skills training.

Guideline 1.8.2

Instructors should be encouraged to review specific safety rules and any appropriate precautions inherent to the particular type of training being presented before the application phase of training begins.

Guideline 1.8.3

Instructors of psychomotor skills training should maintain a high level of discipline over students at all times.

COMMENT: Instructors should consistently enforce a professional atmosphere during training to ensure that students abide by the presenters rules of conduct.

Instructors should recognize and control the tendency of some students to "show off" and overstep their actual abilities.

Guideline 1.8.4

Instructors should reduce instructional pace and intensity during heat waves or other adverse climatic conditions.

COMMENT: Dust, heat, smog level and similar conditions can all contribute to student injury or illness risk. In some cases an alternate location for training may be appropriate. Heat waves and high smog levels suggest the need for frequent water breaks and rest periods.

Guideline 1.8.5

Instructors in psychomotor skills training should wear clearly identifiable clothing.

COMMENT: The use of distinctive clothing, hats, armbands, etc. is recommended.

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PART II

FIREARMS

SECTION 2.1 FACILITY GUIDELINES

Guideline 2.1.1

General safety rules as well as procedures unique to each firearms training facility should be developed, reduced to writing and communicated to students prior to each training session.

COMMENT: Good firearms training facilities are in short supply. Few presenters have exclusive access to one facility. Generally, presenters must train at whichever facility they can obtain on a space-available basis. This fact may subsequently suggest the need to draft safety rules and procedures specific to each range, if substantive differences are noted.

Students who travel to POST firearms courses away from their local area are using unfamiliar facilities and should therefore be made aware of local rules and conditions. Rules of the Range should be clearly posted.

Guideline 2.1.2

Each firearms training facility should have an adequate bullet impact area, sufficient to provide a reasonable margin of safety from all aimed, stray and ricocheting shots.

Guideline 2.1.3

Each firearms training facility should have a reasonably contained perimeter designated by means of warning signs and whenever possible, fencing, to inhibit unauthorized entry.

COMMENT: It is important that all persons in the vicinity of a firearms training facility be aware of the activities which occur there. Signs should be posted conspicuously and far enough away from the shooting area to provide a wide margin of safety.

Guideline 2.1.4

Safe areas should be designated to accommodate persons who are not directly engaged in shooting, including areas in which weapons are to be cleaned, unloaded, or re-loaded with duty ammunition.

COMMENT: Safe areas should be clearly identifiable to the student. Sand barrels or other appropriate devices for the safe loading and unloading of firearms should be available.

Guideline 2.1.5

Each firearms training facility should have a communications process capable of clearly transmitting instructions to all persons on the range.

COMMENT: It is fundamental to this guideline that the communications process be sufficient to stop action and insure that subsequent verbal commands can be clearly understood by shooters on the firing line.

Guideline 2.1.6

Range facilities and bullet impact areas should be inspected at least daily for apparent hazards.

COMMENT: Range conditions can change on a daily basis. Problems can be created by circumstances as diverse as weather changes or the intrusion of ground burrowing animals during the night. Range inspections should be initiated prior to the beginning of each shooting session and upon return to the facility following any break in training.

Guideline 2.1.7

Adequate emergency lighting should be provided at the site of any night-time firearms training.

COMMENT: Night-time firearms training mandates heightened safety awareness. It is important to provide for either permanent or portable lighting equipment capable of illuminating range staging areas and any point on the range where an emergency could occur.

Guideline 2.1.8

Restroom facilities and drinking water should be available either at the range facility itself or in the immediate vicinity.

Guideline 2.1.9

Weather conditions should be considered with regard to the need to provide shaded areas, shelter or protective clothing.

Guideline 2.1.10

Telephone or emergency radio communications equipment should be immediately available to range instructional staff.

Guideline 2.1.11

Indoor ranges should be adequately ventilated.

COMMENT: Student exposure to lead residue is of particular concern in case of indoor or enclosed ranges. Range facilities should conform to all applicable CAL-OSHA standards.

Guideline 2.1.12

There should be a well equipped first aid kit placed at each range which is immediately accessible to shooters and instructors.

COMMENT: Many training facilities have multiple ranges. It is the intent of this guideline that each range, unless immediately adjacent to one another, be equipped with its own first aid kit.

Each first aid kit should be augmented, as necessary, to include compresses and specific materials suitable for the control of bleeding and emergency treatment of gunshot wounds.

Guideline 2.1.13

Ranges equipped with reactive targets should be set up in such a manner as to minimize the danger of ricochets.

COMMENT: Setting up reactive targets on a slight angle to the line of fire will cause ricocheting bullets to angle away from rather than back at the shooter. Shots must be deflected into a safe impact area.

Guideline 2.1.14

Props and sets used in tactical shooting courses should be constructed so as to minimize the danger created by ricochet.

SECTION 2.2 EQUIPMENT GUIDELINES

Guideline 2.2.1

Every student should be required to wear eye and ear protection while engaged in shooting or while in the immediate vicinity of the firing line.

COMMENT: Extra protective equipment should be on hand for use by visitors.

Guideline 2.2.2

Use of soft body armor should be encouraged in all tactical shooting courses and in those courses which employ reactive targets.

COMMENT: Soft body armor may prevent an injury from a potential ricochet which could occur from shooting at a reactive target.

Guideline 2.2.3

All handgun shooters should be equipped with a holster compatible with the handgun they are using on the range.

COMMENT: The spirit of this guideline is to encourage that all students have the means to safely secure their handguns when not engaged in shooting. An exception to this guideline, however, may be appropriate for undercover officers who are required to conceal an unholstered weapon on their person.

Guideline 2.2.4

Each weapon used in a certified course should be subject to a basic safety inspection and approved for use by the instructional staff prior to use on the range.

Guideline 2.2.5

A safety check of weapons should be initiated following any break in training or where students have been allowed to leave the training site.

COMMENT: A safety check conducted after lunch breaks, transportation to remote ranges, or other breaks in training will help to insure that firearms have not been inadvertently loaded. Periodic safety checks throughout the training day may also be appropriate.

Guideline 2.2.6

Clothing and footwear appropriate to the course of fire and terrain of the range should be required.

COMMENT: Clothing should cover areas that could be skinned, cut or burned in any of the positions the shooter is expected to assume. The presence of flying brass at the range mandates the exclusion of tank tops, low-necked shirts and similar clothing. Shoes should completely cover the toes and be suitable for standing and running.

Guideline 2.2.7

Instructor/rangemasters should be easily identifiable.

COMMENT: The use of distinctive clothing, headgear, armbands, etc. are suggested for this purpose.

SECTION 2.3 INSTRUCTOR QUALIFICATIONS

Guideline 2.3.1

Instructors in certified firearms courses should have successfully completed a POST certified Firearms Instructor Course or its equivalent.

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COMMENT: Training equivalency will be determined jointly by the presenter and POST.

It is recognized that there are a number of excellent firearms instructor courses offered in other states, by Federal law enforcement agencies or by other sources. The intent of this guideline is to encourage an appropriate amount of instructor-level training.

As used in this guideline, the term "instructor" refers to the person or persons who are responsible for the delivery of instruction or presentation of course curricula.

Guideline 2.3.2

Firearms instructors in certified courses are encouraged to participate in periodic Firearms Instructor Update courses.

COMMENT: Networking of firearms instructors should also be encouraged.

Guideline 2.3.3

Instructors should have received previous training in the particular weapon or weapons specific to the course.

COMMENT: There are, as an example, many different semi-automatic pistols currently employed by California law enforcement agencies. Intensive training specific to each of these weapons may not be readily available within existing instructor-level courses or updates. Manufacturer's orientations may serve to meet this requirement.

The spirit of the guideline is to encourage instructor familiarity with the operation and peculiarities of the specific firearms used in the course.

SECTION 2.4 INSTRUCTIONAL STAFF-TO-STUDENT RATIOS

Guideline 2.4.1

Each presenter of firearms training shall establish an appropriate Instructional Staff-to-Student Ratio.

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COMMENT: Separate instructional Staff-to-Student Ratios should be identified for static line courses of fire and tactical or "moving" courses of fire. In addition, ratios may differ when the training is conducted for the purposes of initial weapons familiarization as opposed to refresher or instructor-level training.

Guideline 2.4.2

In tactical or moving courses of fire, presenters should consider lowering the Instructional Staff-to-Student Ratio.

SECTION 2.5 PRESENTATION GUIDELINES

Guideline 2.5.1

General range safety rules should be reemphasized to students immediately prior to range training.

Guideline 2.5.2

Specific procedures for handling weapon malfunctions, ammunition failures and other unusual occurrences should be reviewed immediately before live fire training.

Guideline 2.5.3

Students should be instructed to keep their fingers outside of the trigger guards of firearms until they have a target to shoot and have made an actual decision to fire.

COMMENT: Keeping the finger out of the weapon's trigger guard will help prevent accidental or unintentional discharges. Exception to this requirement may be appropriate when the student is involved in an actual tactical shooting exercise.

Guideline 2.5.3

Students should be given a general orientation to any tactical shooting course prior to any live fire.

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COMMENT: An orientation as to the overall expectations of a tactical shooting exercise will generally enhance safety and positively impact the training experience. This practice becomes critical in exercises involving multiple shooters where coordinated activity is essential.

At times, there is significant training value associated with exposing a student to an "unknown" situation which deliberately taxes discretionary ability as well as psychomotor skill. The spirit of the guideline, however, is to insure the highest achievable level of safety by providing the student with a general expectation of what may occur.

Guideline 2.5.4

Students should be instructed to wash their hands and face thoroughly after shooting in order to remove any lead particles or other debris deposited as a result of the weapon's discharge.

COMMENT: Lead traces and like deposits on a student's hands must be removed before eating or drinking. The long term potential health hazard associated with lead contamination should be recognized.

PART III

DEFENSIVE TACTICS AND ARREST CONTROL TECHNIQUES

SECTION 3.1 FACILITY GUIDELINES

Guideline 3.1.1

General safety rules as well as procedures unique to each training facility should be developed, reduced to writing, and communicated to student prior to each training session.

Guideline 3.1.1

Defensive Tactics and Arrest Control Techniques Training should occur in a suitable location.

COMMENT: Risk of student injury increases dramatically when training occurs in inappropriate locations. An appropriate "mat room" or similar type of area, either permanent or temporary is recommended.

There are however, many recognized exceptions. Scenario training and practical field exercises, by their very nature, cannot be confined to a specific indoor facility or limited to mat surfaces. Outdoor training on a lawn, as another example is often desirable, particularly during warm weather.

The spirit of the guideline however, is to insure that routine defensive tactics and arrest control techniques training occurs in an area which is conducive to safe training.

Guideline 3.1.2

The size of the facility should be adequate for the number of students to be trained.

COMMENT: Adequate space between students is fundamental to minimizing the chance of injury. Baton training, for example, should occur in an area of sufficient size to permit the full swing of a standard baton without contacting another student.

Guideline 3.1.3

Environmental factors should be considered in providing a safe training location.

COMMENT: Indoor facilities used for Defensive Tactics and Arrest Control Techniques Training should have adequate lighting and proper ventilation to accommodate strenuous physical activity. The ability to maintain reasonably constant heating and cooling levels can mitigate fatigue and heat related illness.

Guideline 3.1.4

The training site should be reasonably free from outside distractions.

Guideline 3.1.5

Restroom facilities and drinking water should be readily available.

SECTION 3.2 EQUIPMENT GUIDELINES

Guideline 3.2.1

Students participating in Defensive Tactics and Arrest Control Techniques training should be required to meet the minimum clothing and footwear standards established by the presenter.

COMMENT: Clothing appropriate to physical training should be required. Flexibility of movement should be maximized. Students with glasses should be required to wear eyeglass retainers and shatter-resistant lenses.

Guideline 3.2.2

The instructional staff should conduct a brief pre-training inspection.

COMMENT: A pre-training inspection is intended to insure that students have brought the correct clothing and personal equipment, as required. In addition, this inspection provides the opportunity for the instructor to check for

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the presence of watches, rings, necklaces, earrings and other jewelry which may represent a hazard to the individual or other students.

Guideline 3.2.3

Equipment used in defensive tactics training should be cleaned regularly.

COMMENT: Cleanliness of mats and other equipment plays an important part in the health of all concerned. Mats and other contact surfaces should be cleaned with a disinfectant product regularly.

Guideline 3.2.4

Periodic inspections should be conducted to insure the safety and integrity of equipment used in training.

COMMENT: The instructional staff should frequently inspect defensive tactics training equipment to insure technical integrity and adequacy. Split bamboo batons, for example, require frequent replacement. Mat surfaces are prone to tearing and should be repaired professionally. Mat attachment also systems require frequent examination.

Guideline 3.2.5

Presenters should provide or require specific safety equipment for any high intensity or full-contact training.

COMMENT: Presenters should supply or require additional equipment such as groin cups, mouthpieces, headgear, face protection, chest protectors and related articles for use during full contact training. Some personal equipment such as mouthpieces, by their very nature, should be issued for individual use or provided by each student.

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SECTION 3.3 INSTRUCTOR QUALIFICATIONS

Guideline 3.3.1

Instructors of Defensive Tactics/Arrest Control Techniques Courses should have successfully completed a POST approved Instructor Course or its equivalent.

COMMENT: Equivalency of training should be determined jointly by the presenter and POST.

Guideline 3.3.2

Instructors of Defensive Tactics and Arrest Control Techniques courses should be encouraged to participate in periodic instructor update courses.

COMMENT: Networking of instructors should also be encouraged.

SECTION 3.4 INSTRUCTIONAL STAFF-TO-STUDENT RATIOS

Guideline 3.4.1

Each presenter shall establish an appropriate Instructional Staff-to-Student ratio for defensive tactics and arrest control techniques Training.

COMMENT: Separate instructional staff-to-student ratios may be appropriate for introductory training as opposed to refresher courses or instructor-level training.

The spirit of this guideline however, is to insure that the ratio is such that the instructional staff can adequately observe takedowns, the application of pain compliance holds or other activities which represent a potential for student injury.

Guideline 3.4.2

Presenters should consider reducing the Instructional Staff-to-Student ratio when "high risk" techniques are involved.

COMMENT: The presenters "average" ratio may be too high for certain high risk techniques. Some takedowns, application of the carotid restraint, etc. suggest ratios which are very low. "Combat" scenarios, intended to induce cardio-vascular and emotional stress, similarly suggest a very low Instructional Staff-to-Student ratio.

SECTION 3.5 PRESENTATION GUIDELINES

Guideline 3.5.1

Instructors should maintain an appropriate level of discipline over students at all times.

COMMENT: Instructors should consistently enforce a professional atmosphere during training and ensure that students abide by all published rules of conduct.

Instructors must control the tendency of some students to be overly aggressive in the application of wrist locks and other pain compliance holds.

Guideline 3.5.2

Instructors should be aware of physical fatigue factors which affect the ability of the student to safely perform.

COMMENT: Whereas Defensive Tactics and Arrest Control Techniques Training is inherently tiring, instructors should be aware that long periods of training, environmental conditions, or other factors can unduly fatigue participants and increase injury potential. A high smog level or a heat wave, for example, should suggest a reduction in instructional intensity.

SECTION 3.6 SPECIFIC SAFETY RULES

Guideline 3.6.1

Minimum conditioning guidelines should be considered for students participating in In-Service Training where Defensive Tactics and Arrest Control Techniques Training is included.

COMMENT: At times, In-Service students are in poor physical condition at the time of training. This fact correlates directly to injury potential, particularly to injuries such as muscle strains and joint irritations.

Specific guidelines regarding In-Service fitness levels will naturally depend upon individual agency practices. This limitation may make the mitigation of some injuries beyond the control of the instructor, coordinator or presenter. Advance notice to students of specific course expectations however, is appropriate and recommended.

Guideline 3.6.2

Trainees attending instructor level courses should be provided with a list of specific physical requirements, fitness expectations and testing standards well before initiation of the course.

COMMENT: The increased intensity of instructor-level training in Defensive Tactics and Arrest Control Techniques requires a particularly high degree of physical fitness. Inadequate preparation for the instructor training experience substantially increases attendee injury potential.

Guideline 3.6.3

A systematic warm-up should be initiated prior to commencement of any Defensive Tactics and Arrest control Techniques Training

COMMENT: It is recognized that injuries are less likely if students engage in an appropriate amount of stretching before training begins.

Specific attention should be paid to the particular muscle and joint groups involved

in the techniques to be performed. Instruction on the takedown to a carotid restraint, for example, would suggest a concentrated warm-up of the neck and shoulder muscles.

Guideline 3.6.4

A systematic warm-down should be initiated at the conclusion of any Defensive Tactics and Arrest Control Techniques Training.

COMMENT: An appropriate "warm-down" will also help to reduce muscle pain after exercise.

PART IV

DRIVER TRAINING

SECTION 4.1 FACILITY GUIDELINES

Guideline 4.1.1

General safety rules as well as procedures unique to each driver training facility should be developed, reduced to writing and communicated to students prior to each training session.

COMMENT: Good driver training facilities are in short supply. Few presenters have exclusive access to one facility. Generally, presenters must use whichever facility they can obtain on a space-available basis. This fact may subsequently suggest the need to draft safety rules and procedures specific to each facility, if substantive differences are noted.

Students who travel to driver training courses away from their local area are using unfamiliar facilities and should therefore be made aware of local rules and conditions. Whenever possible, safety rules should be clearly posted.

Guideline 4.1.2

Driver training should be conducted in a restricted access area to insure that uninvolved vehicles and pedestrians do not present a safety hazard.

Guideline 4.1.3

Course design and site selection should address the following considerations:

- Minimum Obstructions
- Minimum Interference with other driving exercises
- Minimum Surface Abrasions (pot holes)
- Maximum margin for "run out" areas adjacent to exercises

Guideline 4.1.4

The driver training site should be readily accessible to fire, rescue and other emergency vehicles.

COMMENT: The spirit of this guideline is to insure that the driver training site is reachable by a fire engine or other large rescue vehicle.

A notable exception however, is 4-wheel-drive vehicle operations training. This type of training, by its very nature, presupposes presentation in a remote and often hard to reach area. Presenters should subsequently consider the provision of additional safety equipment at the actual training site.

Guideline 4.1.4

The Instructional Staff should continuously monitor facility conditions so that safety hazards can be immediately detected and corrected.

COMMENT: At a minimum, inspections of the driver training facility should be conducted daily, with the inspection completed before students are permitted to commence driving exercises.

Guideline 4.1.5

Restroom facilities and drinking water should be readily available at the training site.

SECTION 4.3 EQUIPMENT GUIDELINES

Guideline 4.2.1

Vehicles used for police driver training should be adequately equipped.

COMMENT: It is recommended that vehicles used for driver training be equipped with heavy duty suspension systems, upgraded cooling systems, wider tires and related improvements intended to render the vehicle suitable for the rigors of on-going driver training.

Vehicles used exclusively for special applications such as "skid pan" training should be configured appropriately for this activity (i.e. smooth tires or outfitted with a road friction reduction apparatus). Vehicles used exclusively for low speed driver training such as the Driver Awareness Course generally do not require any special modifications.

Guideline 4.2.2

All vehicles used for driver training should be minimally equipped with the seat belt system provided by the vehicle manufacturer or its equivalent.

Guideline 4.2.3

Use of seat belts should be required any time a driver training vehicle is in motion, even when the vehicle is operated exclusively on private property.

Guideline 4.2.4

Safety equipment such as helmets, roll bars and aircraft-type occupant harness systems should be utilized during high speed or pursuit training exercises.

COMMENT: The expression "high speed or pursuit training" cannot be exactly defined. Some presenters stage a "simulated pursuit" at slow speeds where roll bars and special occupant harnesses may not be necessary. Conversely, rollover potential exists at lower than freeway speeds.

The spirit of this guideline to encourage the use of helmets and the installation of appropriate occupant protection equipment in vehicles used for police driver training so that the potential for student injury is reduced.

Guideline 4.2.5

All driver training facilities should have a fire extinguisher, a first aid kit and an appropriate prytool immediately available in the event of an emergency.

COMMENT: Because a vehicle accident is always a very real possibility, appropriate safety equipment at the course site is an absolute necessity.

When possible, the training site have a shaded waiting area for students who are not engaged in driving.

Guideline 4.2.6

A telephone or emergency communications device should be readily accessible in the event of an emergency requiring outside assistance.

Guideline 4.2.6

A maintenance program for all driver training equipment should be established and include frequent inspection of brakes, wheels, tires, suspension components and related equipment.

COMMENT: Vehicle components can wear unpredictably or become stressed to a degree that failure is probable. Routine inspection and regular parts replacement is fundamental to any driver training program. Tire pressure should be checked regularly.

SECTION 4.3 INSTRUCTOR QUALIFICATIONS

Guideline 4.3.1

Each instructor should be required to successfully complete a POST certified Driver training Instructor Program or its equivalent.

COMMENT: Equivalency of training should be determined jointly by the presenter and POST.

The term "instructor", as used in this document, is intended to refer to those persons who are responsible for providing instruction and actual delivery of the course curricula.

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SECTION 4.4 INSTRUCTIONAL STAFF-TO-STUDENT RATIOS

Guideline 4.4.1

Each presenter of driver training shall establish and identify an appropriate Instructional Staff-to-Student ratio.

COMMENT: The Instructional Staff-to-Student Ratio for "initial" or introductory driver training may vary from the ratio established for refresher training or instructor-level courses.

The spirit of establishing an Instructional Staff-to-Student Ratio is to insure adequate supervision over students in training.

Guideline 4.4.2

Presenters should consider lowering the Instructional Staff-to-Student Ratio for higher risk driving exercises such as simulated Code 3 responses or vehicle pursuits.

COMMENT: The number of instructors needed will depend on the specific type of driving exercise. In some cases, the ratio could be one-to-one, when the instructor actually rides with the student.

SECTION 4.5 PRESENTATION GUIDELINES

Guideline 4.5.1

The presenters safety rules should be reemphasized to students immediately prior to actual behind-the-wheel training.

Guideline 4.5.2

Instructors should be aware of any physical fatigue factors which affect the ability of the student to safely perform.

COMMENT: Instructors should be aware that long periods of training or environmental conditions such as extreme heat can unduly fatigue participants and increase accident potential.

PART V

CHEMICAL AGENTS

SECTION 5.1 FACILITY GUIDELINES

Guideline 5.1.1

General safety rules and procedures unique to the chemical agent training facility should be developed, reduced to writing and communicated to students prior to each training session.

COMMENT: Facilities where chemical agents can be repeatedly deployed for training purposes are in short supply. Few presenters have exclusive access to one facility. Generally, presenters must train at whichever location they can obtain on a space-available basis. This fact may subsequently suggest the need to draft safety rules and procedures specific to each facility used, if substantive differences are noted.

Students who travel to POST chemical agent courses away from their local area are using unfamiliar facilities and should therefore be made aware of local rules and conditions. Whenever possible, safety rules should be clearly posted.

Guideline 5.1.2

The training site should be located so as to reduce potential hazards to the public caused by the release of chemical agents.

COMMENT: Factors such as unpredictable winds, inversion layers and residual contamination should be taken considered by presenters when selecting a presentation site.

Guideline 5.1.3

The training site should be located in a area that minimizes fire hazard to structures and vegetation.

Guideline 5.1.4

Restroom facilities and drinking water should be available at the training site or in the immediate vicinity.

Guideline 5.1.5

A telephone or emergency radio communications device should be immediately accessible in the event of an emergency requiring outside assistance.

SECTION 5.2 EQUIPMENT GUIDELINES

Guideline 5.2.1

Students actively participating in training should have access to a serviceable gas mask.

COMMENT: Presenters should insure that an adequate number of gas masks are available to students actively engaged in the deployment of chemical agents. If masks must be shared, appropriate materials should be provided to clean and disinfect the mask between each use.

Guideline 5.2.2

Appropriate personal decontamination materials should be available at the training site.

COMMENT: At a minimum, an adequate supply of water is essential to rinse away residual particulate irritants from the eyes, skin and other affected body areas.

Guideline 5.2.3

A fire extinguisher should be readily available at the training site when blast dispersion or pyrotechnic munitions are ignited.

COMMENT: A fire hazard is inherent in the deployment of some chemical agent delivery devices (i.e. Continuous Discharge Grenades)

Guideline 5.2.4

Appropriate first aid equipment should be readily accessible at the training site.

COMMENT: First aid kits at the chemical agent training site should include appropriate materials for the treatment of burns since several types of chemical agent devices are pyrotechnic by design.

Guideline 5.2.5

All persons who are required to deploy a chemical agent device should be provided with protective equipment appropriate to the specific type of device being employed.

COMMENT: Depending upon the type of chemical agent device used, gloves, eye protection, or hearing protection may be necessary.

SECTION 5.3 INSTRUCTOR QUALIFICATIONS

Guideline 5.3.1

Instructors of chemical agent training courses should have attended a POST-certified instructor-level course or its equivalent.

COMMENT: Equivalency of training will be determined jointly by the presenter and POST.

SECTION 5.4 INSTRUCTIONAL STAFF-TO-STUDENT RATIOS

Guideline 5.4.1

Each presenter of chemical agent training shall establish and identify an appropriate Instructional Staff-to-Student ratio.

COMMENT: Exact Instructional Staff-to-Student ratios will depend upon the student familiarity with chemical agents, conditions of deployment and the specific type of training to be accomplished. A separate ratio may be

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appropriate for introductory training, for example, which differs from the ratio established for refresher training or instructor-level courses.

Guideline 5.4.2

The presenter's Instructional Staff-to-Student Ratio should be reduced when students are exposed to the actual effects of chemical agents.

COMMENT: Since student reactions to the effects of chemical agent exposure vary widely, the number of Instructional Staff must be sufficient to provide adequate supervision over each student. The number of staff necessary will also vary depending upon the past experience of students with the effects of chemical agents.

Guideline 5.4.3

The presenter's Instructional Staff-to-Student Ratio should be reduced when a student is actually deploying a blast dispersion or instantaneous discharge chemical agent device.

COMMENT: The instructional staff-to-student ratio should be low enough to permit the instructor to stop action when a safety breach is observed or other problem occurs.

SECTION 5.5 PRESENTATION GUIDELINES

Guideline 5.5.1

Classroom instruction should be done with inert devices, slides or other appropriate visual aids.

COMMENT: Generally, the presence of live blast dispersion or pyrotechnic devices in the classroom environment represents an unnecessary risk. Certain chemical agent devices such as hand-held aerosols however, may be appropriate for demonstration in this setting.

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Guideline 5.5.2

The unique characteristics of different chemical agent devices currently available and the specific type of training being presented inhibit exact rules for deployment. Instructors should be aware of the particular hazards associated with the specific types of devices used in the training program deploy them accordingly.

Guideline 5.5.3

Projectiles and launchable chemical agent munitions used in training should not be fired in the direction of students or into an occupied room or enclosure.

Guideline 5.5.4

Students should be instructed not to handle any device which fails to detonate.

COMMENT: Disposal of "dud" devices is the responsibility of the instructional staff according to procedures identified in the Presenter's written safety policy.

Guideline 5.5.5

Students should be instructed not to remove the retaining pin from blast dispersion or pyrotechnic chemical agent munitions until just prior to the device being deployed.

COMMENT: Premature removal of the retaining pin substantially increases the potential for accidental activation.

Guideline 5.5.6

Students preparing to deploy a blast dispersion or pyrotechnic chemical agent device should be instructed to hold the device with the "spoon" positioned in the web of the strong hand. The retaining pin should be accessible to the student's weak hand.

COMMENT: When the spoon is kept in the web of the hand, it inhibits the tendency for the student to "milk" the spoon (loosening and tightening the fingers), thus compromising a safe and firm grip on the device.

Guideline 5.5.7

Students should be instructed to always throw, launch or otherwise deploy munitions so that they can clearly observe the area where the ordinance is expected to land.

SECTION 5.6 SPECIFIC SAFETY RULES

Guideline 5.6.1

The instructional staff should supervise the decontamination of students exposed to chemical agents.

COMMENT: Chemical agents contain particulate substances dispersed by a variety of methods. These substances are designed to provoke certain physiological and psychological reactions in the persons exposed. Disorientation, for example, is common and creates the particular need for close supervision of all students. The need for student supervision exists until decontamination is achieved.

PART VI

DIVERSIONARY DEVICES

SECTION 6.1 FACILITY GUIDELINES

Guideline 6.1.1

General safety rules as well as procedures unique to each diversionary device training facility should be developed, reduced to writing and communicated to instructors and students prior to each training session.

COMMENT: Facilities where diversionary devices can be repeatedly detonated for training purposes are in short supply. Few presenters have exclusive access to one facility. Generally presenters must train at whichever location they can obtain on a space-available basis. This fact may subsequently suggest the need to draft safety rules and procedures specific to each facility used, if substantive differences are noted.

Students who travel to POST diversionary device training courses away from their local area are using unfamiliar facilities and should therefore be made aware of local rules and conditions. Whenever possible, safety rules should be clearly posted.

Guideline 6.1.2

The site selected for ignition of flash bangs and related diversionary devices should be reasonably free of loose gravel, rocks, or other debris which could become unintended flying hazards.

COMMENT: Devices such as flash bangs tend to displace debris from the environment where they are ignited. Selection of an appropriate ignition location is fundamental to reducing the potential of student and instructor injury.

Guideline 6.1.3

Diversionary devices should never be ignited in areas where highly combustible materials or flammable vapors are present or suspected.

COMMENT: Fire is a potential in the ignition of any flash bang or diversionary device. Although the ignition location is unlikely to be totally free of combustible materials, ignition in areas such as on dry grass, near paper products etc. should be avoided.

Guideline 6.1.4

Ignition of flash-bang, sting ball or other diversionary devices inside rooms or other enclosed spaces should be restricted to areas of adequate size and appropriate construction so as to limit the hazard caused by overpressurization.

COMMENT: The actual blast effect is increased considerably by ignition in an enclosed or confined space. The site selected for ignition should be appropriately open and properly ventilated so as to reduce the hazard to bystanders.

Guideline 6.1.5

Ignition of flash bangs or related diversionary devices for training purposes should only occur in areas where proper ventilation is provided.

COMMENT: Ignition of explosive or pyrotechnic devices will generally produce noxious smoke, dust and other by-products of combustion. Many of these particulate irritants and gaseous substances cannot be filtered out by the typical law enforcement gas mask.

Guideline 6.1.6

When igniting flash bang and related diversionary devices in training, students should be positioned so as to avoid flying debris.

COMMENT: Ignition of flash bang and other explosive devices can cause breakage or shattering of delicate articles such as window glass, china or light bulbs. It is recommended that, during training, diversionary devices be ignited in the open, or in a windowless enclosure free of breakable objects.

Guideline 6.1.7

A telephone or emergency radio communications device should be readily accessible in the event of an emergency requiring outside assistance.

Guideline 6.1.8

Restroom facilities and drinking water should be available at the training site or in the immediate vicinity.

SECTION 6.2 EQUIPMENT GUIDELINES

Guideline 6.2.1

Presenters should provide or require that every student within the effective range of a flash bang or sting ball device is equipped with full body protection.

COMMENT: Safety equipment such as fire retardant turnout clothing is recommended for those persons actually deploying devices in training. Safety glasses and hearing protectors are essential and should be of sufficient quality to protect students from the noise and flash. This generally suggests protection levels exceeding those of common range hearing protectors or shooting glasses.

Guideline 6.2.2

All persons who are required to ignite or handle a live flash-bang or pyrotechnic device should be provided with fire retardant protective gloves.

COMMENT: Gloves used to handle flash bangs or pyrotechnic devices must have sufficient tactile mobility for the student to safely

handle the device. "Mitten-Type" gloves, for example, are not adequate for this purpose.

Guideline 6.2.3

A well equipped first aid kit should be immediately accessible at the training site.

COMMENT: The first aid kit should contain supplies for the emergency treatment of burns.

SECTION 6.3 INSTRUCTOR QUALIFICATIONS

Guideline 6.3.1

Each instructor should be required to successfully complete a POST certified Diversionary Device Instructor program or its equivalent.

COMMENT: Training equivalency will be determined jointly by the presenter and POST.

Adequate prior experience by the instructor in the ignition and deployment of diversionary tactical munitions should be considered essential.

SECTION 6.4 INSTRUCTIONAL STAFF-TO-STUDENT RATIOS

Guideline 6.4.1

Each presenter of diversionary device training shall establish and identify an appropriate Instructional Staff-to-Student Ratio.

Guideline 6.4.2

The presenter's Instructional Staff-to-Student Ratio should be lowered when a student is actually igniting a diversionary device.

COMMENT: The presenter's Instructional Staff-to-Student Ratio should be low enough to enable the instructor to stop action when a safety breach is observed or other problem occurs.

SECTION 6.5 PRESENTATION GUIDELINES

Guideline 6.5.1

The presenter's general safety rules should be reviewed with students immediately prior to the field application phase of diversionary device training.

Guideline 6.5.2

Specific procedures for handling device malfunctions, "dud" devices, and other unusual occurrences should be reviewed immediately before any diversionary devices are ignited.

Guideline 6.5.3

All classroom instruction or initial orientations should be accomplished with inert devices.

COMMENT: The spirit of this guideline is to limit the handling of live devices to the field application portion of the training course when live devices will actually be ignited.

Guideline 6.5.4

The unique characteristics of different flash bang, sting ball and related diversionary devices inhibit exact rules for deployment. Instructors should be aware of the particular hazards associated with each device used in training and deploy them accordingly.

Guideline 6.5.5

Flash bangs, sting balls and related diversionary devices should never be thrown directly at or over the heads of students.

COMMENT: By avoiding ignitions over the heads or the in the immediately proximity of students, the hazard from fragmenting parts of the device or displaced environmental substances is substantially reduced.

Guideline 6.5.6

Students who are exposed to the effects of a flash bang, sting ball or related diversionary devices should be provided with adequate safety equipment to afford vision, hearing and full body protection.

Guideline 6.5.7

Students should be instructed not to handle a diversionary device which fails to ignite.

COMMENT: Disposal of a "dud" device is the responsibility of the instructional staff according to specific procedures contained in the presenter's written safety policy.

Guideline 6.5.8

Students should be instructed not to remove the retaining pin from any flash bang, sting ball, or other diversionary device until just prior to the device being deployed.

COMMENT: Premature removal of the retaining pin substantially increases the potential for accidental ignition.

Guideline 6.5.7

Students should be instructed to hold flash bangs, sting balls and other diversionary devices with the "spoon" positioned in the web of the strong hand. The retaining pin should be accessible to the student's weak hand.

COMMENT: When the spoon is kept in the web of the hand, it inhibits the tendency for the student to "milk" the spoon (loosening and tightening the fingers), thus compromising a safe and firm grip on the device.

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Guideline 6.5.8

Students should not throw, launch or otherwise deploy diversionary devices unless they have a clear view of the area where the ordinance is intended to land.

COMMENT: The notion of "look before you throw" is fundamental to participant safety.

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PART SEVEN

GLOSSARY OF TERMS

ACTIVE PARTICIPANT/
ACTIVE STUDENT

Used in these guidelines to differentiate students who are actually engaged in a psychomotor skills training activity from students who are observers only. Observer students are deemed to be "Passive".

A typical example of this distinction is the student who is actually engaged in firing on the range (Active), as opposed to the student who is awaiting his/her turn to fire (Passive).

APPLICATION PHASE
(OF TRAINING)

Use in these guidelines to differentiate the actual performance or demonstration of a psychomotor skill from the didactic classroom delivery portion. The expressions "Demonstration Phase" of "Field Application" can be used interchangeably with this term.

BLAST DISPERSION

Used in these guidelines to denote the instantaneous discharge method for the delivery of chemical agents.

CLASSROOM PHASE
(OF TRAINING)

Used in these guidelines to differentiate the didactic instructional component of psychomotor skills training from the application phase where skill performance or demonstration actually occurs.

CONTINUOUS DISCHARGE

Used to describe a pyrotechnic chemical agent device designed to burn for several minutes while dispersing a large volume of chemical irritants.

DELIVERY SYSTEMS

Referenced in these guidelines to mean methods for the deployment of chemical agents to include projectiles, grenades,

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hand-held aerosols and mechanical delivery apparatus.

DEMONSTRATION PHASE
(OF TRAINING)

See "Application Phase"

DIVERSIONARY DEVICE

Used in these guidelines to refer to a flash bang of similar explosive device employed to distract a suspect and facilitate the safe entry of a Special Weapon or Hostage Rescue Team into the event location.

EQUIVALENT TRAINING

Used in these guidelines to refer to training which though not POST certified, is mutually acceptable to the presenter and POST as meeting a specified training requirement.

FIELD APPLICATION

See "Application Phase"

FUNDAMENTAL TRAINING

See "Initial Training"

FLASH BANG

Used in these guidelines to denote an explosive device which is designed to emit only light and sound upon ignition.

GAS MASK

Used in these guidelines to refer to a respiratory protection device designed to filter particulate chemical agent substances.

HEAT HAZARD

Used in these guidelines to describe one a safety concern inherent to any explosive device. The term is used in these guidelines specifically in connection with the detonation of flash bang grenades and related diversionary devices.

The heat effect created by the ignition of a flash bang device lasts an estimated 4/100th of a second at 2700 degrees centigrade. This is the

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burning time and heat range associated with black powder ignition...the typical component of flash bang grenades.

Exact heat peak and actual burning time depends upon the particular composition of the device. Disclosure of exact device composition is often restricted by manufacturers.

Device activation can ignite vapors or other flammables present at the point of ignition.

INITIAL TRAINING

Used in these guidelines to describe an introductory training experience where students are generally exposed to the instructional material for the first time. The expressions "Orientation Training" and "Fundamental Training" are intended to be used interchangeably with this term.

INSTANTANEOUS DISCHARGE

Used to refer to a blast dispersion type chemical agent device.

INSTRUCTOR

Used in these guidelines to denote the person or persons responsible for the delivery of instruction and the actual presentation of the course curricula materials.

INSTRUCTIONAL STAFF

Used in these guidelines to denote persons who exercise functional supervision over students while engaged in training. This may include the lead or principal instructor, assistant instructors, course coordinators, training assistants, rangemasters or other personnel titles.

INSTRUCTIONAL STAFF- TO-STUDENT RATIO

Used in these guidelines to indicate the ratio between the number of students engaged in training to the number of persons providing functional supervision over the students.

MOVING COURSE OF FIRE

Used in these guidelines to denote a firearms course where the shooter moves freely in relation to body position and distance from the target. Generally this implies movement independent of rangemaster commands.

ORIENTATION TRAINING

See "Initial Training"

OVERPRESSURIZATION

Used in these guideline to refer to one of the three common hazards associated with the detonation of any explosive device. The blast wave created by an explosive device can injure or kill if the device is detonated in a confined area or extremely small space.

PASSIVE PARTICIPANT/ PASSIVE STUDENT

Used in these guidelines to differentiate students who are observing only, from those students actually engaged in a psychomotor skills training activity. Students directly engaged in the training application are deemed to be "Active".

A typical example of this distinction is the student who is actually engaged in shooting (Active), as opposed to the observer student (Passive) who is awaiting his/her turn to fire.

PSYCHOMOTOR SKILL

Used in these guidelines to specifically refer to manipulative skills as developed in Firearms Training, Defensive Tactics Training, Arrest Control Techniques Training, Driver Training, Chemical Agent Training and Flash Bang (Diversionary Device) training.

This term could also refer to physical conditioning, physical agility and cardio-vascular fitness training.

PROJECTILE

Used to refer to a launched chemical agent munitions, commonly discharged from a 37mm Gas Gun, shotgun or handgun.

PYROTECHNIC

Used in these guidelines to refer to a burning-type or "continuous discharge" device for the dispersion of chemical agents. Also used to denote the process of burning.

REFRESHER TRAINING

Used in these guidelines to describe a training experience which is generally a review or update of previously learned material as opposed to a first time exposure to the instructional content. The expressions "Update Training" and "Skills Review" are intended to be used interchangeably with this term.

REACTIVE TARGET

Used in these guidelines to denote a moving target or target which reacts after being hit by the shooter.

SKILL REVIEW

See "Refresher Training"

STATIC LINE OF FIRE

Used in these guidelines to refer to a firearms range shooting position where all shooters remain an equal distance from targets and in a fixed position until directed to move by the Rangemaster.

STING BALL

Used in these guidelines to denote an explosive device which emits a material (usually small rubber balls) upon ignition. Other types of non-lethal material can also be loaded into the device and fit the general definition of a "Sting ball"

STUN GRENADE

A generic and somewhat non-definitive term which is often applied to both Flash Bang and Sting Ball grenades. The term "Stun Grenade" however, is occasionally used by manufacturers to describe specific products as a marketing name.

TEARGAS

A generic term currently referenced in California Law (P.C. 12403) to denote several varieties of less-than-lethal chemical irritants.

NOTE: The term "teargas" is generally a non-descriptive and somewhat misleading term. Not all chemical agents cause tearing, nor are any of the chemical substances referenced in these guidelines "gases" in the common scientific sense.

TRAUMA

Used in these guidelines to describe one of the three common hazards associated with the detonation of any explosive device. Trauma generally refers to being hit by fragmenting parts of an explosive device or contact with environmental articles picked up by the explosion (i.e. effect of the device detonated atop loose gravel)

UPDATE TRAINING

See "Refresher Training"

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Recommendation to Schedule a Public Hearing for April 19, 1990 on Carcinogenic Training Stnds.		Meeting Date January 18, 1989
Bureau Training Program Svcs.	Reviewed By Hal Snow	Researched By Mickey Bennett
Executive Director Approval <i>Moussa C. Belun</i>	Date of Approval 12-28-89	Date of Report December 5, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This is a request to schedule a public hearing to consider training standards for the Regular Basic Course on the subject of Carcinogenic Materials as they affect law enforcement officers pursuant to Assembly Bill 2376.

BACKGROUND

Assembly Bill 2376, adding Section 1797.187 to the Health and Safety Code (Attachment A), primarily requires law enforcement agencies to notify their employees if the employees have been exposed to a known carcinogenic material as defined by the International Agency for Research on Cancer, during investigation of controlled substance cases or exposure to incidents involving toxic materials. A portion of the bill, added during the legislative process, addresses certain training requirements.

The Commission is required, on or before January 1, 1990, to include in the basic training course for law enforcement officers instruction in the identification and handling of possible carcinogenic materials, and the potential health hazards associated with these materials, protective equipment, and clothing materials to minimize contamination, handling and disposing of materials. Also specified are procedures that can be adopted to minimize exposure to possible hazardous materials. Background information used in the development of the legislation indicates that California law enforcement officers, for an undetermined reason, are being diagnosed with cancer at a rate three times higher than the rest of the community.

ANALYSIS

An advisory committee (Attachment B) of subject matter experts with expertise in substances and situations in which carcinogenics or hazardous materials may be present was formed to review the current performance objectives and provide consultation on the course of instruction relating to Assembly Bill 2376. The advisory committee evaluated existing documents which list suspected carcinogenic materials, including the substances listed by the International Agency for Research on Cancer. That agency lists approximately 25,000 known or suspected cancer causing substances.

The full realm of carcinogenic exposures possibilities is beyond the scope of POST training and, the legislative intent appears to be training for exposure that may occur during dangerous drug investigations and during response to accidents where toxic substances are present.

Federal O.S.H.A. regulation 29 CFR 1910.120, dated March 6, 1989, establishes regulations for handling of hazardous materials and management of hazardous material spills. This regulation includes training and equipment standards. The length of the mandated training course for hazardous material handler is 80 hours. To equip law enforcement officers with the minimum personal protective equipment as directed by this regulation has been estimated by the committee to cost between \$5,000 and \$10,000 per officer.

The advisory committee unanimously agreed that carcinogenic materials likely to be encountered in law enforcement situations are included in the definitions of hazardous materials. The Health and Safety Code, Section 25501, defines a hazardous material as any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. A carcinogenic, defined as a substance that causes cancer, is included by definition as a hazardous material. Training basic officers to handle hazardous materials situations correctly will automatically provide the necessary carcinogenic training.

Since the intent of the legislation is to increase the safety of the individual officer, the committee and staff determined that it would be impractical to train individual officers concerning hazardous material safety clothing and equipment. Most authorities, as indicated in the State's Hazardous Materials Medical Management Protocols, agree that is unacceptable to provide sophisticated protective gear to persons who have not been previously properly fitted and trained in its use. It is impractical and potentially dangerous to train basic patrol officers to physically handle carcinogenic or hazardous materials. Officers are better trained to recognize the potential hazard and call for specialized personnel properly equipped.

The committee, keeping the intent of the legislation in mind, determined that the emphasis for the basic academy training should focus on identification of hazardous situations and requesting technically proficient assistance. Specific training considerations enumerated in the law were compared with the existing course of instruction, and a proposed curriculum standard consisting of one existing and one new performance objective is recommended.

Existing performance objective 8.39.6 (Attachment C) addresses the directly related issue of requiring the student to identify the responsibilities and considerations of first responders at scenes of hazardous materials. This performance objective is included in the proposed curriculum standard to meet in part the requirement of AB 2376. Proposed new performance objective 8.39.7 was created to meet the specific training standard on carcinogenic materials. The proposed new performance objective as shown on Attachment C requires

the student when presented a situation which might involve carcinogenic materials to determine if a hazardous materials situation exists, identify the associated risks of immediate and long-term exposure and determine the course of action necessary to minimize the risk of personal contamination, handling, and exposure.

Because this is a legislative training mandate that is required to be incorporated into Commission Regulation 1081 (Minimum Standards for Approved Courses), a public hearing is necessary for the Commission to adopt this standard. It is proposed that Regulation 1081 be modified by adding Section (3) Carcinogenic Materials (Health and Safety Code Section 1797.187) which specifies two minimum topics for basic training that encompasses the two previously identified performance objectives (8.39.6 - 7). Those proposed topics include:

- A. Hazardous materials responsibilities and considerations for First Responders.
- B. Hazardous carcinogenic materials identifications, associated risks and minimizing exposures to responding officers.

This proposed Regular Basic Course training standard, represented by both topics, will require four hours minimum to complete. It is anticipated that the changes to the Regular Basic Course will have negligible impact on instruction hours since the Regular Basic Course currently contains approximately four hours of training focused on hazardous materials. Academy presenters have sufficient flexibility to conduct this instruction within the existing course. Therefore, no change in the POST 560-hour requirement for the Regular Basic Course is being proposed.

Should the Commission decide to set this for public hearing, Attachment D provides a draft for the Notice of Public Hearing, Bulletin, and proposed language for regulation change.

RECOMMENDATION

Schedule a public hearing for the April 1990 Commission meeting to consider proposed training for the Regular Basic Course on the subject of carcinogenic materials pursuant to Health and Safety Code 1797.187.

Assembly Bill No. 2376

CHAPTER 947

An act to add Section 1797.187 to the Health and Safety Code, relating to health.

(Approved by Governor September 18, 1988. Filed with Secretary of State September 19, 1988.)

LEGISLATIVE COUNSEL'S DIGEST

AB 2376, Statham. Health care: peace officers.

Existing law requires every employer, including state and local agencies, using carcinogens to provide medical examinations of affected employees as defined, to use the carcinogen pursuant to specified standards, and to perform other duties related to the use and exposure to carcinogens.

This bill would require the state and local agencies employing certain peace officers to notify the peace officer when the peace officer is exposed to a known carcinogen under specified circumstances. To the extent that this requirement would be applicable to local agencies, the bill would impose a state-mandated training course and other appropriate courses of the Commission on Peace Officers Standards and Training include instruction on, but not limited to, the identification and handling of possible carcinogenic materials and potential health hazards associated with those materials.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$500,000 statewide and other procedures for claims whose statewide costs exceed \$500,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$500,000, shall be made from the State Mandates Claims Fund.

The people of the State of California do enact as follows:

SECTION 1. Section 1797.187 is added to the Health and Safety Code, to read:

1797.187. A peace officer as described in Section 830.1, subdivision (a) or (b) of Section 830.2, or subdivision (g) of Section 830.3 of the Penal Code, while in the service of the agency or local

agency which employs him or her, shall be notified by the agency or local agency if the peace officer is exposed to a known carcinogen, as defined by the International Agency for Research on Cancer, or as defined by its director, during the investigation of any place where any controlled substance, as defined in Section 11007 is suspected of being manufactured, stored, transferred, or sold, or any toxic waste spills, accidents, leaks, explosions, or fires.

The Commission on Peace Officers Standards and Training basic training course, and other training courses as the commission determines appropriate, shall include, on or before January 1, 1990, instruction on, but not limited to, the identification and handling of possible carcinogenic materials and the potential health hazards associated with these materials, protective equipment; and clothing available to minimize contamination, handling, and disposing of materials and measures and procedures that can be adopted to minimize exposure to possible hazardous materials.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17300) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed five hundred thousand dollars (\$500,000), reimbursement shall be made from the State Mandates Claims Fund.

CARCINOGENICS ADVISORY COMMITTEE

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Mickey Bennett, POST Fellow
Long Beach Police Department

Donald Brown, Lieutenant
Burbank Police Department

Rick Bingle, Chief Forensic Chemist
Scientific Investigation Division
Los Angeles Police Department

Herb Cowan, Range Master/Supervisor
Diablo Canyon Power Plant
Pacific Gas and Electric Company

Jeanne Delperdang
Director Technical Services
Containerized Chemical

Charles Foden, Retired Fire Chief
McClellan Air Force Base

Michael George, Captain
Sacramento Police Department

Mary Halvorson (Reinika), Assistant Dean
Rancho Santiago College

Charles Johnson, Sergeant
Concord Police Department

Bruce Lazarus, Director I.H. Services
Network and Environment Systems

Nancy Masters, Latent Print Analyst
California Criminalistics Institute

Phil McCormick, Training and
Emergency Preparation Coordinator
Chino Police Department

James Petroni, Instructor/Coordinator
California Specialized Training Institute

Thomas Valentine, Safety Coordinator
Bureau of Forensic Service, Department of Justice

John Wells, Sergeant
Hazardous Materials Section
California Highway Patrol

PROPOSED CURRICULUM CHANGES
FOR
CARCINOGENIC MATERIALS

(Existing) 8.39.6 The student will identify the following responsibilities and considerations of a first responder to a hazardous materials incident including:

70%
2

- A. Recognition
- B. Safety/Isolation/Area containment
- C. Notification to proper agencies
- D. Basic first responder limitation

(New) 8.39.7 Given a word picture of a law enforcement situation which might involve carcinogenic materials contamination for the officer, the student will:

80%
2

- A. Determine if a hazardous materials situation exists.
- B. Identify the associated risks of immediate and long-term exposure.
- C. Determine the course of action necessary to minimize the risk of contamination, handling, and exposure.

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

BASIC TRAINING STANDARDS ON CARCINOGENIC MATERIALS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: April 19, 1990
Time: 10:00 a.m.
Place: Marriott Hotel Mission Valley
San Diego, CA

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATION DIGEST

From time to time, POST approves training standards pursuant to legislative mandate and they are incorporated into Regulation 1081 (Minimum Standards for Approved Courses). Pursuant to Assembly Bill 2376, Section 1797.187 was added to the Health and Safety Code. This section requires the Commission, on or before January 1, 1990, to include in the basic training course for law enforcement officers instruction in the identification and handling of possible carcinogenic materials, and the potential health hazards associated with these materials, protective equipment and clothing materials to minimize contamination, handling and disposing of materials. Also specified are procedures that can be adopted to minimize exposure to the possible hazardous materials.

Subject matter experts agreed that carcinogenic materials likely to be encountered in law enforcement situations are included in the definitions of hazardous materials. The Health and Safety Code, Section 25501, defines a hazardous material as any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. A carcinogenic, defined as a substance that causes cancer, is included by definition as a hazardous material. Training basic officers to handle hazardous materials situations correctly will automatically provide the necessary carcinogenic training.

Since the intent of the legislation is to increase the safety of the individual officer, POST staff determined that it would be

impractical to train individual officers concerning hazardous material safety clothing and equipment. Most authorities, as indicated in the State's Hazardous Materials Medical Management Protocols, agree that is unacceptable to provide sophisticated protective gear to persons who have not been previously properly fitted and trained in its use. It is impractical and potentially dangerous to train basic patrol officers to physically handle carcinogenic or hazardous materials. Officers are better trained to recognize the potential hazard and call for specialized personnel properly equipped.

The subject matter experts, keeping the intent of the legislation in mind, determined that the emphasis for the basic academy training should focus on identification of hazardous situations and requesting technically proficient assistance. Specific training considerations enumerated in the law were compared with the existing course of instruction, and a proposed curriculum standard consisting of one existing and one new performance objective is recommended.

For each proposed change, detailed curriculum including performance objectives has been developed. Each change has been made to meet a specific training need by law enforcement.

It is proposed that Regulation 1081 be modified by adding Section (3) Carcinogenic Materials (Health and Safety Code Section 1797.187) which specifies two minimum topics descriptive of performance objectives for the basic training including:

- A. Hazardous Materials Responsibilities and Considerations for First Responders.
- B. Hazardous Carcinogenic Materials, Identification, Associated Risks, and Minimizing Exposure to Responding Officers.

Topic A represents existing Basic Course-related curriculum on hazardous materials training for first responders, while Topic B reflects proposed new curriculum more specific to individual officer safety concerns.

The Regular Basic Course training standard, represented by both topics, will require four hours minimum to complete. Since hazardous materials information is currently being presented in the Regular Basic Course the suggested changes are only an adjustment to the current hazardous materials information with an appropriately focusing on carcinogenic materials. Therefore, it is anticipated that the changes to the Regular Basic Course will have a negligible impact on instruction hours. It should be noted that the Regular Basic Course currently contains approximately four hours of this training focused on hazardous materials. No change to the POST 560-hour requirement for the Regular Basic Course is being proposed because academy presenters have sufficient flexibility to conduct this instruction within the existing course.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed

actions. All written comments must be received at POST no later than 4:30 p.m. on April 5, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA, 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8:00 a.m. to 5:00 p.m.).

ESTIMATE OF ECONOMIC IMPACT

The Commission has determined that the proposed changes: (1) will have no effect on housing costs; (2) do not impose any new mandate upon local agencies or school districts; (3) involve no increased nondiscretionary costs of savings to any local agency, school district, state agency, or federal funding to the State; (4) will have no adverse economic impact on small businesses; and (5) involve no significant cost to private persons or entities.

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written materials pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA, or by telephone at (916-5400)

Commission on Peace Officer Standards and Training

PUBLIC HEARING: REGULAR BASIC COURSE TRAINING STANDARD ON
CARCINOGENIC MATERIALS

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on April 19, 1990 for the purpose of receiving comments on proposed changes to Commission Regulation 1081 made pursuant to Health and Safety Code Section 1797.187. These changes to the Regular Basic Course pertain to law enforcement response to situations involving carcinogenic materials.

In response to the specifications of Assembly Bill 2376, an advisory committee composed of subject matter experts, training managers, and individuals having an interest and expertise in this area was formed to review the current performance objectives. Recommended performance objective changes were developed as a result of comparing the existing course of instruction with standards required for conformance with AB 2376.

The advisory committee unanimously agreed that carcinogenic materials likely to be encountered in law enforcement situations are included in the definitions of hazardous materials. The Health and Safety Code, Section 25501, defines a hazardous material as any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. A carcinogenic, defined as a substance that causes cancer, is included by definition as a hazardous material. Training basic officers to handle hazardous materials situations correctly will automatically provide the necessary carcinogenic training.

Since the intent of the legislation is to increase the safety of the individual officer, the committee and staff determined that it would be impractical to train individual officers concerning hazardous material safety clothing and equipment. Most authorities, as indicated in the State's Hazardous Materials Medical Management Protocols, agree that is unacceptable to provide sophisticated protective gear to persons who have not been previously properly fitted and trained in its use. It is impractical and potentially dangerous to train basic patrol officers to physically handle carcinogenic or hazardous materials. Officers are better trained to recognize the potential hazard and call for specialized personnel properly equipped.

The committee, keeping the intent of the legislation in mind, determined that the emphasis for the basic academy training should focus on identification of hazardous situations and requesting technically proficient assistance. Specific training considerations enumerated in the law were compared with the existing course of instruction, and a proposed curriculum standard consisting of one existing and one new performance objective is recommended.

It is proposed that Regulation 1081 be modified by adding Section (3) Carcinogenic Materials (Health and Safety Code Section 1797.187) which specifies two minimum topics for the basic training descriptive of performance objectives including:

- A. Hazardous Materials Responsibilities and Considerations for First Responders.
- B. Hazardous Carcinogenic Materials, Identification, Associated Risks, and Minimizing Exposure to Responding Officers.

The Regular Basic Course training standard, represented by both topics, will require four hours minimum to complete. It is anticipated that the changes to the Regular Basic Course will have a negligible impact on instruction hours since the Regular Basic Course currently contains approximately four hours of this training focused on hazardous materials. No change to the POST 560-hour requirement for the Regular Basic Course is being proposed because academy presenters have sufficient flexibility to conduct this instruction within the existing course.

Proposed Topics

- A. Hazardous Materials, Responsibilities and Considerations for First Responders
- B. Hazardous Carcinogenic Materials Identification, Associated Risks, and Minimizing Exposure to

Justification

The first responding officer has a responsibility to protect the community from hazardous materials situations.

Basic officer training must emphasize the correct response to hazardous carcinogenic materials situations, in order to protect themselves from contamination.

The attached Notice of Public Hearing required by the Administrative Procedures Act provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquires concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

January 18, 1990

BULLETIN: 90-

SUBJECT: PUBLIC HEARING - REGULAR BASIC COURSE TRAINING
STANDARD ON CARCINOGENIC MATERIALS

A public hearing has been scheduled in conjunction with the April 19, 1990 Commission meeting:

Date: April 19, 1990
Time: 10:00 a.m.
Place: Marriott Hotel, Mission Valley
San Diego, California

The hearing is for the purpose of considering proposed changes in Commission Regulation 1081 made pursuant to Assembly Bill 2376, which added Health and Safety Code Section 1797.187. This new law requires POST to incorporate curriculum changes in the Regular Basic Course for law enforcement officers instruction relating to carcinogenic materials.

Since subject matter experts agree that carcinogenic materials fall within the definition of hazardous materials, it is proposed that the curriculum on hazardous materials for first responders satisfy, in part, the training mandates. In addition, a new performance objective is proposed that relates to carcinogenic materials. Training basic officers to handle hazardous materials situations correctly will automatically provide carcinogenic training.

To adopt this training standard, it is proposed that Regulation 1081 be modified by adding Section (3) Carcinogenic Materials which specifies two minimum topics for the basic training descriptive of performance objectives including:

- A. Hazardous Materials Responsibilities and considerations for First Responders.
- B. Hazardous Carcinogenic Materials, Identification, Associated Risks, and Minimizing Exposure to Responding officers.

The Regular Basic Course training standard, represented by both topics, is proposed to have four hours minimum to complete. No change in the POST 560-hour requirement for the Regular Basic Course is proposed.

The Commission may adopt other changes based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the

proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA or by telephone at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Proposed Regulation Change

1081. *Minimum Standards for Approved Courses

Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. More detailed minimum curricula content is contained in the document "POST Prescribed Curricula Manual."

- (1) Arrest and Firearms (Penal Code Section 832) - 40 Hours
(Certified course; requirement satisfied by Basic Course.)

*Arrest (24 hours)
(Required)

- A. Professional Orientation
- B. Law
- C. Laws of Evidence
- D. Investigation Examination

*Firearms (16 hours)
(Required for peace officers carrying firearms)

- A. Firearms Safety
- B. Handgun Familiarization
- C. Firearms Care and Cleaning
- D. Firearms Shooting Principles
- E. Firearms Range (Target)

Communications and Arrest (16 hours)
(Recommended for peace officers who make arrests)

- A. Community relations
- B. Communications
- C. Arrest and Control Examination

* Specific Basic Course performance objectives are required and specified in the POST Prescribed Curricula Manual

- (2) Aviation Security (Penal Code Section 832.1) - 20 Hours
(Certified Course)

- A. Introduction and Background
- B. Civil Threat to the Aviation Industry
- C. Federal Organization and Jurisdiction
- D. Legal Aspects
- E. Psychological Aspects
- F. Passenger Screening
- G. Aviation Explosives

*underlined for style

H. Aviation Security Questions and Issues
Examination and Critique

- (3) Carcinogenic Materials (Health and Safety Code
Section 1797.187) - 4 Hours

- A. Hazardous Materials, Responsibilities
and Considerations for First Responders
- B. Hazardous Carcinogenic Materials, Identification,
Associated Risks, and Minimizing Exposure to
Responding Officers.

- (4)~~(3)~~ Basic (Regular) (Penal Code Section 832.3)
(Certified Course) - 520 Hours

See PAM, Section D-1

- (5)~~(4)~~ Chemical Agent for Peace Officers (Penal Code
Section 12403)
(Requirement satisfied by the Basic Course) - 8 Hours

Exceptions: Chemical Agent Training for California
Youth Authority Field Parole Agents and local field
probation officers, as described in P.C. Section 830.5
shall be the training prescribed in P.C. Section 12403.7
and certified by the Department of Justice.

- A. Legal and Ethical Aspects
- B. Chemical Agents Familiarization
- C. Medical and Safety Aspects
(First Aid)
- D. Use of Equipment
- E. Simulations and Exercises

- (6)~~(5)~~ Chemical Agent Training for Private Security
(Penal Code Section 12403.5)
(Not a POST-certified course) - 2 Hours

Chemical Agent Training for Private Security personnel
shall be the training prescribed in P.C. 12403.7 and
certified by Department of Justice.

- A. Self Defense, History of Chemical Agents, and
Aerosol Weapons
- B. Effectiveness as a self-defense weapon
- C. Mechanics of Tear Gas Use
- D. Medical Aspects of First Aid
- E. Practical Use
- F. Field Training and Demonstration
- G. Discard of Weapons

(7)(6) Child Abuse and Neglect (Penal Code Section 13517) -24 Hours
(Certified course; requirement satisfied by the Basic Course; optional Technical Course.)

- A. General Child Abuse Investigative Procedures
- B. Child Neglect and Emotional Abuse/Deprivation
- C. Physical Child Abuse
- D. Sexual Abuse and Exploitation of Children
- E. Interview and Interrogation Techniques
- F. Community Child Care Facilities
- G. Course Critique and Student Evaluation

(8)(7) Domestic Violence (Penal Code Section 13519) - 8 Hours

- A. Overview of Domestic Violence
- B. Legislative Intent/POST Guidelines
- C. Enforcement of Laws
- D. Court Orders
- E. Tenancy

(9)(8) Humane Officer Firearms (Civil Code Section 607f) - 15 Hours

The required course is the Firearms portion of the P.C. 832 Course, with an examination.

(10)(9) Missing Persons (Penal Code Section 13519.1) - 4 Hours

- *A. Benefits for Law Enforcement Involvement and sensitivity
- B. Initial Response Procedures
- C. Locating Missing Persons
- *D. Legal Requirements for Initial Response and Follow-up

(11)(10) Reserve Peace Officer (Penal Code Section 832.6) - 214 Hours
(Certified course; requirement satisfied by the Basic Course.)

Level III Reserve (56 Hours)

P.C. 832 Arrest and Firearms Course (Level III Reserve is required for Level III, Level II, and non-designated Level I Reserve Officers.)

Level II Reserve (90 Hours) (Prerequisite - Level III Reserve Course)

- A. Professional Orientation
- B. Law
- C. Communications
- D. Vehicle Operations
- E. Force and Weaponry
- F. Patrol Procedures
- G. Traffic

- H. Custody
- I. Physical Fitness and Defense Techniques
- J. Examination

(Module B is required for Level II and non-designated Level I Reserve Officers.)

Level I Reserve (68 Hours) (Prerequisite - Level III & II Reserve Course)

- A. Professional Orientation
- B. Police Community Relations
- C. Law
- D. Communications
- E. Vehicle Operations
- F. Laws of Evidence
- G. Patrol Procedures
- H. Traffic
- I. Criminal Investigation
- J. Custody
- K. Physical Fitness and Defense Techniques
- L. Examination

(Level I Reserve is required for non-designated Level I Reserve Officers.)

Designated Level I Reserve Officers are required to Complete the regular Basic Course as described in PAM Section D-1.

(12)(11) Sex Crime Investigation (Penal Code Section 13516) - 24 Hours (Certified Course)

Preliminary Sexual Assault Investigation and Sexual Exploitation; Exploitation/Sexual Abuse of Children (Required part of Basic): (6 Hours)

- A. Overview of Problems, Issues and Prevention Considerations
- B. Sensitivity of Responding Officer
- C. Treatment of Victim
- D. Preliminary Investigation Procedure

Follow-up Sexual Assault Investigation: (18 Hours)

- E. Collection and Preservation of Evidence
- F. Classroom Demonstration
- G. Basic Assault Investigation
- H. Review Report of Preliminary Investigation
- I. Re-interview the Victim
- J. Investigation of the Suspect
- K. Physical Evidence
- L. Prosecution
- M. Pretrial Preparation

(13)(12) State Agency Peace Officers (Penal Code Section 13510.5)
(Certified Course)

The Advanced Officer Course as described in PAM Section D-2 shall satisfy the minimum training required by P.C. 13510.5, per Commission action of October 1978.

(14)(13) Traffic Accident Investigation (Vehicle Code Section 40600)
(Certified Course.)

- A. Vehicle Law and Court Decision Relating to Traffic Accidents
- B. Report Forms and Terminology
- C. Accident Scene Procedures
- D. Follow-up and Practical Application

(15)(14) Wiretap Investigation (Penal Code Section 629.44(a)) - 14 Hours

- A. Legal Aspect
- B. Technical Aspects
- C. Practical Aspects

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Basic Course Curriculum Change - Vehicle Operations/Professional Orientation		Meeting Date January 18, 1990
Bureau Training Program Services	Reviewed By Hal Snow	Researched By Russ Kindermann
Executive Director Approval <i>William C. Becker</i>	Date of Approval <i>1/2/90</i>	Date of Report December 8, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Commission approval of Regular Basic Course curriculum changes relative to Vehicle Operations and Professional Orientation.

BACKGROUND

As part of the continuing process to maintain the Regular Basic Course content relevant to the law enforcement task within today's society, POST staff, Regular Basic Course instructors, and subject matter experts convene update workshops for the purpose of reviewing and updating existing curriculum. In the past six months, the Functional Areas of Vehicle Operations and Professional Orientation were reviewed in depth by separate workshop committees resulting in the attached proposed additions and modifications to the Regular Basic Course curriculum.

ANALYSIS

The Vehicle Operations Functional Area contains 23 performance objectives covering the cognitive aspects and manipulative skills required in training an officer in the proper operation of an emergency vehicle. The Driver Training Reference Guide, developed in 1988-89 by the International Association of Directors of Law Enforcement Standards and Training (IADLEST), provided a model driver training curriculum upon which to examine the existing Regular Basic Course curriculum. Each of the forty training objectives of the IADLEST standards were reviewed and compared with existing POST training standards. All relevant standards were found to presently be covered in the POST requirements or were incorporated in the proposed revisions.

The proposed curriculum changes would add three new performance objectives focusing on threshold braking, estimating distance traveled by vehicle speed, and vehicle inspection. Performance Objective 6.6.3 concerning experiencing a controlled skid is proposed to be deleted because that experience is incorporated in existing Performance Objective 6.6.2, which requires the student to experience a vehicle undergoing an "all wheel" braking skid. In addition, driver training experts now believe it inappropriate to imply, as the proposed-to-be-deleted performance objective does, that a skidding vehicle may remain

controlled. The emphasis should be on regaining control. See Attachment A for proposed curriculum changes to Vehicle Operations Functional Area. The goals of incorporating the relevant standards identified in the IADLEST document, making performance objectives more specific for testing purposes, and providing clearer definition between emergency response and pursuit driving will be met by these changes.

The topics of ethical conduct and knowledge of the criminal justice system are contained in the Professional Orientation Functional Area, which has 26 performance objectives. The proposed curriculum would add one new performance objective on the Canons of Professional Conduct. See Attachment A for proposed curriculum addition.

These proposed curriculum changes in the Functional Areas of Vehicle Operations and Professional Orientation have been endorsed by the Basic Course Consortium. The changes will have little impact on academy requirements and can be handled within existing POST minimum hourly requirements.

RECOMMENDATION

Effective March 1, 1990, approve Regular Basic Course curriculum changes related to Vehicle Operations and Professional Orientation.

Attachments

PROPOSED REGULAR BASIC COURSE CURRICULUM CHANGES

Vehicle Operations Functional Area

- (New) 6.2.5 Given a vehicle's speed in miles per hour, the student will identify the distance it travels in:
 80%
 2
A. 3/4 of a second
B. One second
- (New) 6.5.2 The student will identify the components of a pre-shift vehicle inspection:
 80%
 2
A. Mechanical check
B. Interior check
C. Exterior check
D. Required inventory
- (Delete) 6.6.3 ~~The student will experience a vehicle undergoing a controlled skid.~~
 80%
 3
- (New) 6.6.6 The student will demonstrate the ability to threshold brake:
 100%
 3
A. When coming to a complete stop
B. Prior to a turning movement

Professional Orientation Functional Area

- (New) 1.3.4 The student will identify the following canons of the "Code of Professional Conduct and Responsibilities for Peace Officers":
 70%
 2

- A. Uphold the Constitution of the United States, state statutes and local laws
- B. Perform duties ethically
- C. Regard discharge of duties as a public trust
- D. Exemplify high standards in public and private life
- E. Recognize the freedom of others shall not be infringed upon without just and legal cause
- F. Maintain integrity and competence
- G. Cooperate with lawful officials and organizations
- H. Refuse to accept gratuities
- I. Maintain the confidentiality of information

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report and Proposal for Presentation of Teleconference Training Courses by POST		Meeting Date January 18, 1989
Bureau Training Program Services Bureau	Reviewed By Hal Snow	Researched By John Davidson
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 12-29-89	Date of Report December 12, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Evaluation report on recently conducted telecourse and request for authorization to contract for presentation of a second telecourse including authorization to experiment with reuse of tapes of the telecourse.

BACKGROUND:

At the April, 1989 meeting, the Commission authorized the Executive Director to enter into an interagency agreement with San Diego State University for an amount not to exceed \$45,000. The purpose of this agreement was to produce a pilot teleconference training course (telecourse) for presentation to public safety dispatchers on the subject of handling missing persons cases. The missing persons training course was subsequently developed and successfully presented at 29 sites throughout the state on November 14, 1989.

The program received a strong positive response from most of the dispatchers who attended. The only negative notes came from those sites which experienced technical difficulties (sound or video problems) or which were not set up properly to accommodate the number of people who came to view the program (single small screen TV monitor to service a large room). A more complete discussion of the student evaluations is attached.

ANALYSIS:

Evaluation of the Missing Persons teleconference for public safety dispatchers has shown that teleconferencing is an effective vehicle to meet the training needs of large numbers of trainees in subject matter that can be conducted in relatively short self-contained training segments. In the Missing Persons teleconference, 1,100 dispatchers were trained out of a total pool of about 4,500. With a peace officer pool of 60,000, the cost effectiveness of this kind of training is limited only by the classroom space that can be secured for original broadcasts, and by the effective training life of the video recordings which are subsequently made of original broadcasts.

Based on the success of the initial telecourse, staff has developed the following considerations to guide future presentation of POST telecourses:

- o Courses are to be presented by POST and designed to meet training needs that are relatively short in duration and where there is a high volume of students who require the training. Particular emphasis should be given to satisfying training mandates directed at in-service officers.
- o All telecourses will be POST-certified technical courses with no POST reimbursement applicable.
- o If directed at peace officers, telecourses would count towards satisfying POST's continuing professional training requirement.
- o The ultimate goal of the program would be to permit all law enforcement agencies with a satellite signal antenna to serve as their own training site, thus maximizing convenience, accessibility, and cost-effectiveness. Each site would have a designated on-site facilitator who would receive training and orientation from POST.
- o Content development, training design, and presentation are to be controlled by POST but may be performed by other persons and groups working under contract to POST.
- o Satellite uplink and other technical services will be accomplished through contracting with state university campuses equipped to provide these services.

As mentioned, there is potential for credit toward the continuing professional requirements through this training. It appears desirable to experiment with the idea of permitting POST-approved downlink sites, including law enforcement agencies, to record the telecourse and subsequently train other personnel as a POST-certified course. Of course such training must be consistent with requirements and conditions yet to be specified by POST.

Downlink site requirements and conditions might include: 1) training and orientation of the on-site coordinators, 2) required use of student testing, workbooks, and Course Evaluation Instruments, 3) continuous training session (not at roll call briefings), 4) reuse to be completed within 90 days of the initial broadcast, and 5) roll taken of attendees and recorded on POST supplied course rosters.

These and other tentative requirements would be directed at ensuring the integrity and quality of the training. The individual officers attending the training would receive POST credit for having attended a POST-certified course and satisfying part of POST's continuing professional training requirement.

It is proposed the Commission authorize another pilot telecourse that permits POST-approved downlink sites to record and reuse the broadcast as POST-certified training subject to reasonable and appropriate conditions which assure training value and integrity. If approved, staff will evaluate and report back on this experiment.

The next proposed project is a telecourse to meet the requirements of Penal Code Section 13519.2 with regard to the handling of persons who exhibit symptoms of developmental disability, mental illness, or both. The law requires that in-service officers who have not received the necessary training in the basic course to complete a supplementary course in the subject matter prior to July 1, 1992. We plan to present this training in May, 1990. It is proposed that the Executive Director be authorized to enter into an interagency agreement with San Diego State University to design and present this telecourse in an amount that is limited to actual costs not to exceed \$45,000.

RECOMMENDATION:

It is recommended that the Commission:

- (1) Authorize the Executive Director to negotiate an interagency agreement with San Diego State University in an amount not to exceed \$45,000 to develop and conduct a telecourse on the subject of handling persons with developmental disabilities and/or mental illness.
- (2) Authorize staff to experiment with the recording and reuse of the above telecourse as POST-certified training and report back to the Commission.

EVALUATION OF MISSING PERSONS TELECAST

The following information is taken from student and facilitator evaluations of the Missing Persons Telecast. As a general rule, the evaluations were positive. Almost all of the comments listed below were taken from those sections of the evaluation form which specifically asked for the program's weaknesses and for suggestions for improvement.

The major criticism of the program is that it was too elementary, and did not require such an elaborate program to get the relatively few training points across. Balancing this criticism, however, was a strong affirmative response to the question which asked whether the program had been worth the time of the students to attend it, and widespread satisfaction with the opportunity to ask questions of the persons who were experts in this field.

The only generally negative notes came from the relatively few (six out of twenty nine) sites which experienced local technical or site problems. These included problems with reception and transfer of the program into the classroom, TV picture tubes which were too small for the classroom, poor quality audio and video and noisy, poorly located classrooms.

These are lessons well learned. They will be stressed in information provided to site facilitators in future broadcasts. We may also ask that our field consultants conduct site inspections of future broadcast sites well in advance of the program to insure compliance with minimum technical and comfort standards.

STRONG POINTS

This was a "professional " presentation.

The take-home workbook was a good idea.

It was great to have the experts there to answer questions.

Different speakers kept the dialogue fresh and interesting.

Good way to train lots of people at the same time.

WEAK POINTSTechnical

Too difficult to get through on the phone - need more lines.

Phones were difficult to hear.

Graphics were not easily readable.

Local Equipment problems

Could not receive program clearly (Imperial)

Could not transfer reception to classroom monitor - had to record and play tape to class w/30 minute delay. (Pasadena)

Audio buzzing through entire program (Fresno)

Noisy classroom next to cafeteria (Southwestern)

TV screen too small - placed too low for people in the back to see. (Several)

If we have to write - need to provide desks or tables.

Phones at front of room (puts questioner "on stage")

No phone in class.

Program Organization

More thorough briefing prior to start of the class. Have coordinators meet with class one hour rather than 1/2 hour before the class starts. Cover orientation and give a thorough briefing on materials and activities.

Better screening of on-air calls and only one call per person.

More time should be devoted to questions and answers.

Too many question periods - better just one question period at the end.

Provide a break after one hour.

Have facilitator ask questions and do not identify student who originates the question.

Program Content

Do not read the quiz and provide the answers one at a time. If you must read it on the air, ask all the questions, allowing students to answer on their own, then go back over right answers.

Provide a handout with resource lists

Provide a "real" test at the end of the program.

Course was too long for the amount of material to be covered.

Program moved too slowly

Too many experts who tended to repeat one another.

Give facilitator a larger role.

Presenters moved too fast to keep up with them in the workbook.

Include resource information in the manual.

Material was too simple. (Subject matter too elementary)

Presenters appeared to be preaching.

Add time to discuss important points in classroom with peers.

When lots of interest is shown in questions and answers in one area, that is telling you something. Keep the questions going and cut down the time allotted to them in some other section.

Too many people on the panel - reduce the number.

Provide some way in which participants can exchange information on their personal experience in the subject.

Need opportunity to have class discussion - class discussion often stimulates the most significant questions.

Have a "line" dispatcher or two on the panel to question the "manager/experts" on the things that really count.

When a person designated to answer a question is not sure, he/she should say so and ask for clarification from another panel member.

COMMISSION AGENDA ITEM REPORT

Agenda Item: Adopting Narcotic Investigation Training Standard for ABC Investigators		Meeting Date January 18, 1990
Bureau Training Program Services	Reviewed By Glen Fine	Researched By Hal Snow
Executive Director Approval <i>Norman C. Barkin</i>	Date of Approval 1/2/90	Date of Report December 13, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve, pursuant to recently passed legislation, a recommended four-week narcotic enforcement training program to meet the training standard for all investigators of the state Department of Alcoholic Beverage Control?

BACKGROUND

Senate Bill 1351 (Attachment A) authored by Senator Dan Boatwright, enacted effective January 1, 1990, Section 25755 of the Business and Professions Code requires all investigators of the Alcoholic Beverage Control and specifically investigators assigned to ABC's Drug Enforcement Narcotics Team to complete by June 1, 1993 a four-week course on narcotics enforcement approved by POST. The training requirement appears to be directed at a need to ensure a higher level of competence in dealing with narcotic violations since the incidence of narcotic violations is increasing in and around licensed premises. ABC investigators frequently work as part of multi-agency strike forces that target bars where illegal drugs are sold.

POST staff has developed, in consultation with ABC staff, a proposed standard for the four-week training requirement.

ANALYSIS

Unlike most legislative training mandates, this legislation identifies a specific length of training. On the surface, four weeks (160 hours) mandated training appears to be excessive when compared to the most commonly accepted course for narcotic investigators of local and state agencies of 80 hours. However, there is no POST standard nor universally acceptable number of hours for narcotics investigation.

Analysis of this narcotics enforcement training standard has suggested the need for a two part requirement--a formalized training course and a structured field training program. The formalized training course that appears appropriate and readily available is the 80-hour Narcotics Investigation Course. This course curriculum is in the process of being standardized by POST. Training needs identified by ABC that are related to narcotic enforcement closely parallel the curriculum of the above Narcotics Investigation Course.

The second part of the proposed training standard concerns an 80-hour structured field training program directed at narcotic investigations by ABC investigators. Such a field training program would be administered by ABC and would involve investigators being assigned to a member of the department's Drug Enforcement and Narcotics Team (DENT) or a narcotics unit/task force with a local law enforcement agency. During this two-week training assignment, investigators would gain experience by observing and participating in a variety of ongoing narcotic investigations. Upon completion of the field training program, investigators will be certified by either the department's Drug Enforcement and Narcotics Team or the local law enforcement agency that the investigator has completed the field training program. Responsibility for documentation of both training components would be ABC's.

To implement this training standard, Regulation 1081 (Minimum Standards for Approved Courses) must be modified to add the proposed requirements that would include:

ABC Narcotic Enforcement (Business and Professions
Code Section 25755 (160 Hours)

Narcotics Investigation Course (80 hours)

- A. Drug Enforcement Laws
- B. Drug and User Identification
- C. Search Warrants
- D. Search and Seizure
- E. Surveillance
- F. Clandestine Laboratories
- G. Asset Seizure and Forfeiture
- H. Informants
- I. Officer Safety
- J. Entry and Search Techniques
- K. Undercover Techniques
- L. Smuggling
- M. Investigative Resources
- N. Examination

ABC Narcotics Investigation Field Training (80 Hours)

ABC investigators are required to complete an 80-hour field training program on narcotics investigation that includes on the job instruction and hands-on experience associated with all content areas of the above Narcotics Investigation Course. Field training shall be conducted under the supervision of investigators selected by ABC. Investigators selected may be either ABC investigators or investigators employed by local police or sheriffs departments. Investigators selected must possess a POST Basic Certificate and have completed at least one year of experience as a full time narcotics investigator. The Department of Alcoholic Beverage Control shall maintain records that individual ABC investigators have completed this field training.

This modification requires that the Commission adopt these pursuant to the Administrative Procedures Act. Because ABC is the only agency affected by this regulation change, it is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed regulations would go into effect approximately April 1, 1990.

RECOMMENDATION

Approve a four-week narcotic investigation training standard for investigators of the Department of Alcoholic Beverage Control pursuant to Section 25755 of the Business and Professions Code subject to results of the Notice of Proposed Regulatory Action.

Senate Bill No. 1351

CHAPTER 1166

An act to amend Section 25755 of the Business and Professions Code, and to amend Sections 830.2 and 830.3 of the Penal Code, relating to peace officers.

[Approved by Governor September 29, 1989. Filed with Secretary of State September 30, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1351, Boatwright. Peace officers.

(1) Existing law provides that peace officers employed by the Department of Alcoholic Beverage Control are authorized while acting as peace officers, to enforce any penal provision of law prohibiting various acts involving alcoholic beverages or intoxicating liquors while they are in, on, or about any licensed premises in the course of their employment.

This bill would delete the restriction concerning the enforcement of those penal provisions while the described peace officers are in, on, or about any licensed premises, and instead would allow these persons, while acting as peace officers, to enforce any of those provisions of law while in the course of their employment.

In addition, the bill would provide that any agents assigned to the Drug Enforcement Narcotics Team by the director of the department and other agents of the department shall successfully complete a 4-week course on narcotics enforcement, as specified.

(2) Existing law enumerates specified persons who are peace officers whose authority extends to any place in the state for purposes of performing their primary duty or when making an arrest under specified provisions of law. The authority of these peace officers to carry firearms is subject to prior authorization and terms and conditions specified by the employing agency. Included within this category of peace officers are persons employed by the Department of Alcoholic Beverage Control for the enforcement of the Alcoholic Beverage Control Act who have been designated by the Director of Alcoholic Beverage Control.

This bill would delete those peace officers from the above-described category of peace officers, and, instead, would include that category of peace officers within another category of peace officers whose authority extends to any place in the state without specified restrictions as to authority to carry firearms.

The people of the State of California do enact as follows:

SECTION 1. Section 25755 of the Business and Professions Code is amended to read:

25755. (a) The director and the persons employed by the department for the administration and enforcement of this division are peace officers in the enforcement of the penal provisions of this division, the rules of the department adopted under the provisions of this division, and any other penal provisions of law of this state prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding, or mislabeling of alcoholic beverages or intoxicating liquors, and these persons are authorized, while acting as peace officers, to enforce any penal provisions of law while in the course of their employment.

(b) The director, the persons employed by the department for the administration and enforcement of this division, and peace officers listed in Section 830.1 of the Penal Code may, in enforcing the provisions of this division, visit and inspect the premises of any licensee at any time during which the licensee is exercising the privileges authorized by his or her license on the premises.

(c) Members of the California State Police and peace officers of the Department of Parks and Recreation, as defined in subdivisions (b) and (h) of Section 830.2 of the Penal Code may, in enforcing the provisions of this division, visit and inspect the premises of any licensee located on state property at any time during which the licensee is exercising the privileges authorized by his or her license on the premises.

(d) Any agents assigned to the Drug Enforcement Narcotics Team by the director shall have successfully completed a four-week course on narcotics enforcement approved by the Commission on Peace Officer Standards and Training. In addition, all other agents of the department shall successfully complete the four-week course on narcotics enforcement approved by the Commission on Peace Officer Standards and Training by June 1, 1993.

SEC. 2. Section 830.2 of the Penal Code is amended to read:

830.2. The following persons are peace officers whose authority extends to any place in the state:

(a) Any member of the California Highway Patrol, provided that the primary duty of the peace officer shall be the enforcement of the provisions of the Vehicle Code or of any other law relating to the use or operation of vehicles upon the highways, as that duty is set forth in the Vehicle Code.

(b) Any member of the California State Police Division, provided that the primary duty of the peace officer shall be to provide police services for the protection of state officers, and the protection of state properties and occupants thereof, as set forth in the Government Code.

(c) Members of the California National Guard have the powers of peace officers when they are (1) called or ordered into active state service by the Governor pursuant to the provisions of Section 143 or 146 of the Military and Veterans Code, (2) serving within the area wherein military assistance is required, and (3) directly assisting civil

authorities in any of the situations specified in Section 143 or 146. The authority of the peace officer extends to the area wherein military assistance is required as to a public offense committed or which there is reasonable cause to believe has been committed within that area. The requirements of Section 1031 of the Government Code are not applicable under those circumstances.

(d) A member of the University of California Police Department appointed pursuant to Section 92600 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 92600 of the Education Code.

(e) A member of the California State University and College Police Departments appointed pursuant to Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code.

(f) Any member of the Law Enforcement Liaison Unit of the Department of Corrections, provided that the primary duty of the peace officer shall be the investigation or apprehension of parolees, parole violators, or escapees from state institutions, the transportation of those persons, and the coordination of those activities with other criminal justice agencies.

(g) Members of the Wildlife Protection Branch of the Department of Fish and Game, provided that the primary duty of those deputies shall be the enforcement of the law as set forth in Section 856 of the Fish and Game Code.

(h) Employees of the Department of Parks and Recreation designated by the director pursuant to Section 5008 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as set forth in Section 5008 of the Public Resources Code.

(i) The Director of Forestry and employees or classes of employees of the Department of Forestry designated by the director pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as that duty is set forth in Section 4156 of the Public Resources Code.

(j) Persons employed by the Department of Alcoholic Beverage Control for the enforcement of Division 9 (commencing with Section 23000) of the Business and Professions Code and designated by the Director of Alcoholic Beverage Control, provided that the primary duty of any of these peace officers shall be the enforcement of the laws relating to alcoholic beverages, as that duty is set forth in Section 25755 of the Business and Professions Code.

SEC. 3. Section 830.3 of the Penal Code is amended to read:

830.3. The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 of

the Penal Code as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. These peace officers may carry firearms only if authorized and under those terms and conditions as are specified by their employing agencies:

(a) Persons employed by the Division of Investigation of the Department of Consumer Affairs and investigators of the Board of Medical Quality Assurance and the Board of Dental Examiners, who are designated by the Director of Consumer Affairs, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 160 of the Business and Professions Code.

(b) Voluntary fire wardens as are designated by the Director of Forestry pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 4156 of that code.

(c) Employees of the Department of Motor Vehicles designated in Section 1633 of the Vehicle Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 1633 of that code.

(d) Investigators of the California Horse Racing Board designated by the board, provided that the primary duty of these peace officers shall be the enforcement of Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code and Chapter 10 (commencing with Section 330) of Title 9 of Part 1 of the Penal Code.

(e) The State Fire Marshal and assistant or deputy state fire marshals appointed pursuant to Section 13103 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 13104 of that code.

(f) Inspectors of the food and drug section as are designated by the chief pursuant to subdivision (a) of Section 216 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 216 of that code.

(g) All investigators of the Division of Labor Standards Enforcement, as designated by the Labor Commissioner, provided that the primary duty of these peace officers shall be enforcement of the law as prescribed in Section 95 of the Labor Code.

(h) All investigators of the State Departments of Health Services, Social Services, Mental Health, Developmental Services, Alcohol and Drug Programs and the Office of Statewide Health Planning and Development, and the Public Employees' Retirement System, provided that the primary duty of these peace officers shall be the enforcement of the law relating to the duties of his or her

department, or office. Notwithstanding any other provision of law, investigators of the Public Employees' Retirement System shall not carry firearms.

(i) Marshals and police appointed by the Board of Directors of the California Exposition and State Fair, pursuant to Section 3332 of the Food and Agricultural Code, provided that the primary duty of the peace officer shall be the enforcement of the law as prescribed in that section.

(j) The Chief of the Bureau of Fraudulent Claims of the Department of Insurance and those investigators as designated by the chief, provided that the primary duty of those investigators shall be enforcement of Section 356 of the Insurance Code.

(k) Employees of the Department of Housing and Community Development designated under Section 18023 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 18023 of that code.

(l) Investigators of the office of the Controller, provided that the primary duty of these investigators shall be the enforcement of the law relating to the duties of that office. Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms.

(m) Investigators of the Department of Corporations designated by the Commissioner of Corporations, provided that the primary duty of these investigators shall be enforcement of the provisions of law administered by the Department of Corporations. Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms.

(n) Persons employed by the Contractors' State License Board designated by the Director of Consumer Affairs pursuant to Section 7011.5 of the Business and Professions Code, provided that the primary duty of these persons shall be the enforcement of the law as that duty is set forth in Section 7011.5, and in Chapter 9 (commencing with Section 7000) of Division 3, of that code. The Director of Consumer Affairs may designate as peace officers not more than three persons who shall at the time of their designation be assigned to the special investigations unit of the board. Notwithstanding any other provision of law, the persons designated pursuant to this subdivision shall not carry firearms.

(o) The chief and coordinators of the Law Enforcement Division of the Office of Emergency Services.

(p) Investigators of the Office of the Secretary of State, designated by the Secretary of State, provided that the primary duty of these peace officers shall be the enforcement of the law as prescribed in Chapter 3 (commencing with Section 8200) of Division 1 of Title 2 of the Government Code and Section 12172.5 of that code. Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title RFP Request for Development of Driver Training Interactive Videodisc Program		Meeting Date January 18, 1990
Bureau Training Program Services	Reviewed By Hal Snow	Researched By George Niesl
Executive Director Approval <i>William C. Bachman</i>	Date of Approval 1/2/90	Date of Report December 29, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should POST issue a Request for Proposal (RFP) to develop a computer-based, interactive videodisc training course that addresses certain knowledge, decision-making and judgmental aspects of law enforcement driver training?

BACKGROUND

The Commission's continuing interest in applying appropriate technology to driver training is based upon the recognition that law enforcement driving has a major impact on deaths and injuries to citizens and officers, and results in a great cause of liability to agencies and officers. Law enforcement driver training is also a good candidate for technology application because of the limited realism of existing training and the lack of adequate driver training facilities. Finally, law enforcement driving is a subject area for which there is a recurring training need, both for in-service officers and recruits, thus making the development of a computer-based alternative more cost effective.

Computer-based driver training could apply to much of the subject matter included in the category Vehicle Operations in the POST Basic Course. Recently reviewed and updated, the Learning Goals and Performance Objectives under this heading are generally in accord with the national standards endorsed by The International Association of Directors of Law Enforcement Standards and Training (IADLEST) and would form a solid basis for development of a computer-based law enforcement driver training course.

POST has had some experience with computer-based training in the development of "Introduction to Law Enforcement", the interactive videodisc (IVD) version of the PC 832 course. Begun in 1986, the course was distributed to California presenters in early 1989, and a body of information on its development and use is now available for assessment. Generally, the IVD courseware on PC 832 training has been well received, as shown by the growing number of certified course presenters who have requested

the courseware and/or have indicated an intention to purchase one or more units for running the interactive course. Preliminary indications of the effectiveness of the interactive videodisc course in terms of learning gains, reduction in learning time and retention of learning, have been positive. Significantly, many law enforcement agencies have remarked on the potentially greater benefits of using such IVD courseware for refresher/in-service training, and have asked for more courseware that could be used on existing or future equipment systems.

The Commission contracted with Hughes Aircraft Company in June 1988 to study the feasibility of applying new technology to law enforcement driver training. An amendment to this contract (No. 87-001-24) in May 1989 required Hughes to develop a plan with provision for certain aspects of driver training to be delivered using computer-based training technology (i.e. interactive videodisc) and the remainder to be delivered via a part task training simulator. A RFP has been developed based on staff analysis of the Hughes' report and recommendations on the interactive videodisc part of law enforcement driver training.

ANALYSIS

The report by Hughes Aircraft Company concludes that the use of interactive videodisc (IVD) technology in law enforcement driver training should provide the following benefits:

- o better instruction for trainees with better recall of the subject matter
- o better use of instructor's time, permitting a greater amount of time for one-on-one assistance
- o opportunities for remedial training even when schedules do not permit conventional instruction
- o standardization of quality instruction
- o possible reduction in training time needed

Along with the instructional benefits in using interactive videodisc for training, there would be a real benefit in being able to deliver the IVD training to most law enforcement agencies via less expensive, more immediately accessible equipment than by the relatively more expensive driver training simulator or driving field. As with the interactive PC 832 course, law enforcement agencies could purchase their own equipment and have the driver training course available 24 hours a day for refresher training of in-service officers.

Estimating the probable life of an IVD driver training course as five years before changes would need to be made, we can project the potential number of Basic Course and in-service trainees who would benefit from this training at more than 50,000.

Proposed Courseware and Equipment

Hughes recommends that computer-based, interactive videodisc instruction be used for those aspects of driver training that would not require the use of a vehicle. The IVD driver training would then apply to those performance objectives in the Basic Course that deal with acquisition of facts or knowledge about vehicle operations, such as Introduction to Vehicle Operations, Vehicle Operation Factors, Code 3, and Vehicle Operation Liability.

It would also cover the cognitive aspects of Vehicle Inspection, Vehicle Control Techniques, and Stress Exposure and Hazard Awareness Emergency Driving. In all these areas, where appropriate, the IVD training would provide decision-making exercises and ample opportunities to exercise judgement in realistic situations, thus providing a solid basis for law enforcement driver training and allowing more time to be devoted productively to behind-the wheel field instruction.

Realistic scenarios are more audio and video-intensive; therefore, adequate treatment of the subject areas listed would require creation of an interactive course with four videodisc sides. The number of videodisc sides, in turn, is the major determinant of the cost to produce the course. Equipment to run the interactive driver training course would not require any new components beyond what is specified for running the interactive videodisc version of the PC 832 course. Thus, there would not have to be additional equipment costs for those who have already invested in interactive hardware.

Cost Estimates

It is recommended the RFP not specify a maximum cost amount. However, it is expected the contract cost would be in the range of \$500,000 to \$600,000, excluding video shooting. To achieve some cost savings, video shooting would be contracted for separately with one of our law enforcement agency video producers at a projected cost of \$50,000.

Contract Terms and Review Process

The RFP provides for a year and a half course development period from the commencement of the contract. Specifically, the contract period would commence following POST award of the contract, projected for April 1990. There would be review by POST and subject matter experts at specific stages in the work to ensure conformity with terms of the contract. Before completion of the contract period, the developed and approved IVD Law Enforcement Driving courseware would be validated with a control group to verify its training effectiveness.

Should the Commission approve issuance of the Request for Proposal, the time schedule calls for completion of processes in time for Commission approval of the contract award at the April 1990 meeting. With normal start up time and the total contract period, the terms of the contract could be met and the product delivered by January 1, 1992.

The draft RFP will be available for Commission review at the January meeting.

RECOMMENDATION

Approve the issuance of an RFP to develop a computer-based, interactive videodisc program for the Law Enforcement Driver Training Course.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Symposium for ACR 58 Study		Meeting Date January 18, 1989
Bureau Executive Office	Reviewed By	Researched By Doug Thomas
Executive Director Approval <i>Morgan C. Beckum</i>	Date of Approval 12-28-89	Date of Report December 21, 1989
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission hold a Professional Symposium on Training in the Future in conjunction with the ACR 58 Study?

BACKGROUND

Assembly Concurrent Resolution 58 (Campbell) requests the Commission to form a Committee to study the use of technology, equipment systems, and facilities for law enforcement training. The Committee is composed of one member selected by the Commission, the Governor, the Attorney General, the California Peace Officers' Association, the Peace Officers Research Association of California, the Chancellor of the California Community Colleges, the Senate Committee on Rules, and the Speaker of the Assembly.

The Committee is directed to report its findings and recommendations to the Chair of the Senate Judiciary Committee and the Chair of the Assembly Public Safety Committee by January 15, 1991.

ANALYSIS

Chairman Block, the Commission's representative, would like to convene the first meeting of the ACR 58 Study Committee in early 1990. The results of the ACR 58 study will influence the use of resources and directions for law enforcement training through the decade and into the 21st century. To make certain there is opportunity for input from the field, and to assure the field has an understanding of the work of the Committee, the Commission may wish to authorize a professional symposium on training in the future.

The symposium would be held in mid 1990. The work of the Committee to date would be reported on. Various technologies and possibilities would be presented and discussed. The symposium would be very useful in solidifying the sense of needs, opportunities and directions.

If the Commission approves, work will proceed on setting the date and place of the symposium. Content will develop as part of the initial work of the study community. Up to 150 attendees from local police and sheriff's departments, training presenters, and law enforcement associations would be invited to participate. Just as the 1980 symposium on the profession resulted in many positive results during the past decade, so this symposium should have a positive and cohesive impact on the future of training.

RECOMMENDATION

Approve holding a symposium on the future of training in mid 1990 to receive input from law enforcement for the Assembly Concurrent Resolution 58 Study on the future use of technology, equipment, systems, and facilities.

Memorandum

POST Commissioners

Date December 28, 1989

Commissioner Sherman Block, Chairman
Long Range Planning Committee

From : Commission on Peace Officer Standards and Training

Subject: LONG RANGE PLANNING COMMITTEE MEETING

The Committee met at my office in Los Angeles on December 7, 1989. Commissioners present were myself, Alex Pantaleoni, Bob Vernon, and Robert Wasserman. Staff present were Executive Director Norman Boehm, Glen Fine and Harold Snow. The following issues were discussed.

NARCOTICS TRAINING

The Committee considered the Attorney General's request for funding an increase in the DOJ Training Center for narcotics training. There was consensus that training in narcotics enforcement should be presented on a decentralized basis. The Committee believes expertise is available in urban areas and that the training can be effectively and economically presented on a regional basis for the most part.

ACR 58

This is the joint resolution requesting POST to study law enforcement training facility and equipment needs. The Committee was briefed on steps being taken by staff to form the steering committee and initiate the study.

TELECONFERENCE TRAINING

The Committee was briefed on feedback from POST's pilot teleconference training program - a 2-hour satellite broadcast to provide public safety dispatchers with training on handling missing person reports. Committee consensus is that this vehicle holds great promise for efficient delivery of high quality training and that POST should pursue this in a deliberate, step by step fashion.

LEVEL I RESERVE OFFICER TRAINING

Level I reserve officers may legally perform the same duties and exercise the same powers as regular officers. The disparity in minimum training has grown: 214 hours for reserves - 560 hours for regulars. The Committee believes that staff should be directed to study and report back on the adequacy of the current Level I reserve training requirement.

CULTURAL AWARENESS COMMUNICATIONS NEEDS

The Commission has previously directed a study. Committee members were briefed on staff plans for the conduct of the study. The study is scheduled for presentation to the Commission in July, 1990.

TRAINING IN USE OF COMPUTERS

The Committee was briefed on staff analysis of existing POST certified computer training. The Committee concurs with proposed direction to de-emphasize basic computer training and to instead emphasize training in law enforcement applications for computers. Unless there is further comment from the Commission, staff will plan on implementing this shift in emphasis to coincide with the upcoming 1990/91 fiscal year.

EXTENDED FORMAT BASIC TRAINING

Briefing was received on a pending application by Fullerton College for a new extended format basic course. Committee members believed that more information should be sought on the issue of need and the potential impact on other basic course providers.

FINANCE COMMITTEE MEETING
Wednesday, January 17, 1990
3:00 p.m.
Marriott Harbor Hotel
Santa Rosa Room
San Diego, CA 92101-7709
(619) 234 - 1500

A G E N D A

Call to Order - Chairman Cecil Hicks

A. Proposed Contracts to be Negotiated for Fiscal Year 1990/91

At each January meeting, the Commission receives a report on major training and administrative contracts planned for the upcoming fiscal year. This agenda explains the proposed contracts. The action before the Committee is to form recommendations to be made to the full Commission at the January 18, 1990 meeting. The recommendation is to authorize the Executive Director to negotiate contracts and to bring them to the April meeting for formal approval.

Proposed contracts to be negotiated for Fiscal Year 1990/91:

1. Management Course

This course is currently budgeted at \$319,129 for 22 presentations by 5 presenters.

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates some increases over FY 1989/90 due to increased costs for instructors, coordination, facilities, and materials, although no additional presenters are planned for 1990/91.

2. Executive Development Course

This course is currently presented by California State Polytechnic University, Pomona, at a cost of \$78,925 for five presentations. Course costs are consistent with POST guidelines, and the performance of the presenter has been satisfactory. Staff anticipates

some increased costs for instructors, coordination, facilities, and materials which may be allowable by tuition guidelines. Upon approval, a new contract will be negotiated for FY 1990/91.

3. San Diego Regional Training Center - Support of Executive Training Including the Command College

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1989/90 came to \$359,093. Upon authorization, a new contract will be negotiated for FY 1990/91.

4. CSU Long Beach - Support of Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support; ordering materials; paying instructors and auditors; and purchasing equipment. Costs for these services in FY 1989/90 were \$146,000. Expected costs for FY 90/91 are somewhat uncertain at this date. Some expenses incurred this year will not recur, but consideration is being given to expanding course offerings to meet demand. The proposed dollar amount will likely be approximately \$200,000.

5. Cooperative Personnel Services - Basic Course Proficiency Examination

POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination each of the last 9 years. The current year contract is for \$28,837.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$33,500. The anticipated cost increase is based on a projected 5% increase in Basic Course presentations and labor and shipping cost increases of approximately 10%.

6. Cooperative Personnel Services - Entry-Level Reading and Writing Test Battery

POST has contracted with Cooperative Personnel Services for administration of the POST entry-level reading and writing test battery since 1983. The current year contract is for \$89,134.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$97,000. The anticipated cost increase assumes labor and shipping cost increases of approximately 10%.

7. Cooperative Personnel Services - P.C. 832 Written Examination

POST has contracted with Cooperative Personnel Services for administration of the P.C. 832 Written Examination during this, the initial year of the testing program. The current year contract is for \$84,620.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$71,500. The cost decrease is attributable to the growing number of P.C. 832 Course presenters who have requested and been granted authority to administer the test locally.

8. State Controller's Office - Agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval is requested to negotiate a similar agreement to maintain current level of service for Fiscal Year 1990/91.

9. Computer Services Contract - Teale Data Center

POST has an Interagency Agreement with Teale Data Center (a state agency) for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The current year contract is for \$89,000

Approval is requested to negotiate an Interagency Agreement with the Teale Data Center for computer services in 1990/91 for an amount similar to the current year's costs.

10. CALSTARS Contract, 1990/91

The mandated California Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. The Commission approved a current year contract in an amount not to exceed \$25,000.

Approval is requested to negotiate a similar agreement to maintain the current level of required service for Fiscal Year 1990/91.

11. San Diego State University for Satellite Video Broadcasts

San Diego State University is producing four 2-hour satellite broadcasts of videotape training programs during 1989/90 for \$16,000. It is requested that the current year interagency agreement be continued and increased to \$24,000 to cover costs attendant to program quality enhancements.

12. Department of Justice - Training Center

The Department of Justice has provided training to local law enforcement through an Interagency Agreement with POST since 1974. During Fiscal Year 1989/90, the amount allocated to this training was \$760,126. As is noted under Item "B", the Attorney General has requested funding of additional narcotics investigation training. It is proposed that staff negotiate a new contract for FY 1990/91 for a financial commitment determined after consideration of the request under Item "B".

B. Attorney General Request for Narcotics Training Funds

The Attorney General has requested that the Committee consider a recommendation to support POST funding for a Department of Justice budget proposal. The proposal would establish five positions at the DOJ Advanced Training Center. The positions would enable DOJ to address a significant backlog of requests for training in narcotics investigation courses.

The issues of training need, the DOJ contract for delivery of training programs, and the budgetary implications of the request are discussed in the enclosed reports. Also enclosed are letters from the Attorney General requesting consideration of the funding proposal.

C. California Peace Officers' Legal Sourcebook (CPOLS)

The Legal Sourcebook published by the Attorney General has been in widespread use for a number of years. The Sourcebook is distributed free of charge by the Attorney General to law enforcement agencies and sold on a subscription basis to individuals.

When the Sourcebook was first produced in 1983, POST provided partial funding. In October 1984, the POST Commission approved an agreement with the Attorney General's Office to fund by-monthly updates to the Sourcebook through the 84/85 fiscal year. The Commission's action was taken in recognition of budgeting problems faced by the Attorney General's Office. The 1984 report on this matter is enclosed.

As described in the attached letter, the Attorney General requests that POST assume the costs of free subscriptions distributed to law enforcement. Cost is projected at \$148,000 in FY 90/91.

POST is not budgeted for this expense, but the costs might be absorbed with Department of Finance approval to transfer funds. The Commission's prior action on Legal Sourcebook funding, however, suggests that the Commission previously believed it inappropriate to fund another agency's publication on an ongoing basis.

The matter is before the Committee for fiscal policy consideration.

D. Review of Salary Reimbursement Rate

The beginning year salary reimbursement rates were set by the Commission at 25% for the Basic Course and 35% for other salary reimbursable courses. Commission policy is that reimbursement expenditures and revenue be evaluated quarterly and adjustments made as indicated during the fiscal year. As of the date of finalization of this agenda, accounting records for the 2nd quarter are incomplete. Analysis and recommendations will be finalized for handout at the meeting.

E. Review of Revenue Enhancement Feasibility

At the July 1989 Commission meeting, Commissioners adopted a beginning year salary reimbursement rate that reflected continuation of a downward trend. The trend is due to increasing levels of reimbursable training that exceed annual growth of revenue. The Commission requested that the

Finance Committee address the issue and consider whether possibilities exist for enhancing revenues. Optional considerations for discussion are identified under this tab.

ADJOURNMENT

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Management Course Contracts - Fiscal Year 1990/91		January 18, 1990
Bureau	Reviewed By	Researched By
Center for Leadership Development	<i>Ted Morton</i>	Ted Morton
Executive Director Approval	Date of Approval	Date of Report
<i>Mouman C. Boehm</i>	12-29-89	December 28, 1989
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of Management Course contracts as proposed for Fiscal Year 1990/91 are required to authorize the Executive Director to negotiate contracts with presenters.

Background

These courses are currently budgeted at \$319,129 for twenty-two (22) presentations by five (5) presenters:

California State University - Humboldt
 California State University - Long Beach
 California State University - Northridge
 California State University - San Jose
 San Diego Regional Training Center - San Diego

No other educational institutions have expressed interest in presenting the Management Course. In addition, there are two (2) certified Management Course presenters who offer training to their own personnel at no cost to the POST fund:

California Highway Patrol
 State Department of Parks and Recreation

Analysis

Course costs are consistent with POST tuition guidelines. Required learning goals are being satisfactorily presented by each contractor.

It is estimated that twenty-two (22) presentations will again be required in FY 1990/91. Staff anticipates some increases over FY 1989/90 due to increased costs for instructors, coordination, facilities, and materials, although no additional presentations are expected.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to negotiate contracts with the current five (5) contractors to present twenty-two (22) presentations of the Management Course during Fiscal Year 1990/91. Negotiated contracts will be returned for commission approval at the April 1990 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Executive Development Course Contract Fiscal Year 1990/91		January 18, 1990
Bureau	Reviewed By	Researched By
Center for Leadership Development	<i>Ted Morton</i>	Ted Morton
Executive Director Approval	Date of Approval	Date of Report
<i>Morgan C. Behm</i>	12-29-89	December 27, 1989
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Executive Development Course contract as proposed for Fiscal Year 1990/91 are required to authorize the Executive Director to negotiate contracts with presenters.

Background

The single contractor for the Executive Development Course currently provides training for 100 trainees in 5 presentations per year. The contract costs for FY 1990/91 are \$78,925.

Commission Regulation 1005(e) provides that every regular officer who is appointed to an executive position may attend the Executive Development Course, and the jurisdiction may be reimbursed provided the officer has satisfactorily completed the training requirements of the Management Course.

Analysis

The California State Polytechnic University, Pomona, has been under contract to present the Executive Development Course since October, 1979. The presentations have been well received by law enforcement executives. The presenter has developed a special expertise in presenting POST executive and management training. Because of the expertise, the presenter has attracted a high quality group of instructors and coordinators. Even so, staff anticipates some modification of the course necessary to keep the curriculum current and relevant.

It is estimated that 5 presentations will again be required in FY 1990/91. Staff anticipates some increase over FY 1989/91 due to increased costs for instructors, coordination, facilities, and materials as may be allowable by tuition guidelines.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to negotiate a contract with Cal-Poly Kellogg West Foundation to present 5 presentations of the Executive Development Course during FY 1990/91. The negotiated contract will be returned for Commission approval at the April 1990 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Contract for Command College and Executive Training		January 18, 1990
Bureau	Reviewed By	Researched By
Center for Leadership Development	<i>Ted Morton</i>	Ted Morton
Executive Director Approval	Date of Approval	Date of Report
<i>Morgan C. Boehm</i>	12-28-89	December 28, 1989
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Command College Executive Training contract for fiscal year 1990/91 are required to authorize the Executive Director to negotiate with the presenter.

Background

Since the inception of the Command College in 1984, the Commission has approved a contract with San Diego Regional Training Center to provide the services of faculty, facilitation, coordinators, facilities, materials, course development, and related activities for the Command College and seminars for chiefs, sheriffs, and senior law enforcement managers.

The first class of the Command College graduated January 31, 1986. Two classes commence annually. During the 1990/91 Fiscal Year, twenty Command College workshops will be presented for Classes 11, 12, 13, 14, 15, and 16.

Executive training has been designed to meet the stated needs of chiefs, sheriffs, and senior managers. In 1990/91, CLD staff will develop, coordinate, and present 15 executive seminars.

Current contract costs for FY 1989/90 are \$359,093.

Analysis

To support the activities of the Command College and Executive Training, funds will be required for two Assessment Centers, several Command College planning and project committee meetings, continuing Command College and executive seminar course developments, Executive Development Course redesign, and continuing development of Emergency Preparedness training.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to contract with the San Diego Regional Training Center to provide expert management consultants, educators, faculty, training sites, and materials for Command College programs and seminars for law enforcement executives and senior managers for fiscal year 1990/91. It is anticipated that the amount of the negotiated contract will approximate the 1989/90 contract. This matter will be returned for Commission approval at the April 1990 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Supervisory Leadership Contracts Fiscal Year 1990/91		January 18, 1990
Bureau	Reviewed By	Researcher By
Center for Leadership Development	<i>Ted Morton</i>	<i>Ted Morton</i>
Executive Director Approval	Date of Approval	Date of Report
<i>Houston C. Bachan</i>	1/2/90	December 28, 1989
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Supervisory Leadership Contract as proposed for Fiscal year 1990/91 are required to authorize the Executive Director to negotiate a contract with CSU Long Beach.

Background

The Commission approved three presentations of the Supervisory Leadership Institute (SLI) for Fiscal Year 1988/89 and 1989/90. The Commission approved a contract with CS Long beach to assist in the development and administration of the program.

Analysis

The 1989/90 contract costs of \$146,000 are consistent with similar management and executive training programs administered by POST. Tentative plans are to start four classes in May, 1990. This will require the continuing search for and development of a total of 15 instructors to meet the need of team instruction and courses being presented simultaneously. It is anticipated that total contract costs for FY 1990/91 will not exceed \$200,000.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to negotiate a contract with CSU, Long Beach to provide administrative assistance to POST in presenting four (4) Supervisory Leadership Institutes for the FY 1990/91. A negotiated contract will be returned for Commission approval at the April, 1990 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Proficiency Examination		Meeting Date January 28, 1990
Bureau Standards & Evaluation	Reviewed By	Researched By Diane Hrepich
Executive Director Approval <i>Monica C. Boehm</i>	Date of Approval 12-20-89	Date of Report December 8, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Basic Course Proficiency Examination.

BACKGROUND

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. POST has contracted with Cooperative Personnel Services (CPS) for administration of the examination since 1981.

ANALYSIS

CPS has done a very acceptable job of administering the POST Basic Course Proficiency Examination. Moreover, CPS can administer the examination for less than it would cost if POST staff were to assume this function.

The amount of the fiscal year 1989/90 contract is \$28,837. The proposed contract for fiscal year 1990/91 is not expected to exceed \$33,500, and assumes a 5% increase in the number of Basic Course presentations, and labor and shipping cost increases of approximately 10%.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with CPS for services during fiscal year 1990/91 for an amount not to exceed \$33,500.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Entry-Level Reading and Writing Test Battery		Meeting Date January 28, 1990
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>JB</i>
Executive Director Approval <i>Norman C. Behm</i>	Date of Approval 12-20-89	Date of Report December 11, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST entry-level reading and writing test battery.

BACKGROUND

For the past several years, the Commission has authorized that the POST entry-level test battery be made available to agencies in the POST program at no cost. During this period, all test administration services associated with the testing program have been provided under contracts with CPS. The 1989/90 fiscal year contract amount is \$89,134.

ANALYSIS

All contract services provided by CPS have been acceptable, and POST lacks the staff to perform these services.

The proposed contract for fiscal year 1990/91 is not expected to exceed \$97,000. The increase is due to anticipated labor and shipping cost increases of approximately 10%.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST test battery during fiscal year 1990/91 for an amount not to exceed \$97,000.

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title Contract for Administration of POST PC 832 Written Exam		Meeting Date January 28, 1990	
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner	
Executive Director Approval <i>Morgan C. Bohlen</i>	Date of Approval 12-15-89	Date of Report December 8, 1989	
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.			
<p><u>ISSUE</u></p> <p>Continuation of POST contract with Cooperative Personnel Services (CPS) to administer the POST PC 832 written examination.</p> <p><u>BACKGROUND</u></p> <p>Penal Code Section 832(a) requires that persons must pass a POST-developed or POST-approved examination to successfully complete the PC 832 course. The testing requirement went into effect July 1, 1989. POST contracted with CPS to administer the examination during the current fiscal year.</p> <p><u>ANALYSIS</u></p> <p>CPS has done an excellent job of administering the examination. The amount of the 1989/90 fiscal year contract is \$84,620. The proposed contract for fiscal year 1990/91 is not expected to exceed \$71,500. This reduction will occur even though labor and shipping costs are anticipated to increase approximately 10%, and is due entirely to savings that will result from an increasing number of PC 832 course presenters agreeing to the terms of a test use and security agreement, thereby receiving authority to administer the examination locally, and thus precluding the need for POST to incur the expenses for test proctoring.</p> <p><u>RECOMMENDATION</u></p> <p>Authorize the Executive Director to negotiate a contract with CPS for administration of the POST PC 832 written exam during fiscal year 1990/91 for an amount not to exceed \$71,500.</p>			

COMMISSION AGENDA ITEM REPORT

Item Title State Controller's Office Agreement for Auditing Services		Meeting Date January 18, 1990
Bureau Administrative Services Bureau	Reviewed By <i>[Signature]</i> Otto H. Saltenberger	Researched By Staff
Executive Director Approval <i>[Signature]</i> Norman C. Bachman	Date of Approval 12/28/89	Date of Report November 17, 1989
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with the State Controller's Office to provide auditing services.

BACKGROUND

Each year for the past several years, the Commission on Peace Officer Standards and Training has negotiated an Interagency Agreement with the State Controller's Office to conduct necessary audits of selected local jurisdictions which receive POST reimbursement funds.

ANALYSIS

The State Controller's Office continues to do an acceptable job in conducting the audits of several selected jurisdictions yearly to assure that reimbursement funds are being appropriately expended.

The Commission approved an agreement not to exceed \$85,000 for the current fiscal year. Approval is requested to negotiate a similar agreement for Fiscal Year 1990-91 for an amount to maintain current level of service.

RECOMMENDATION

Authorize staff to negotiate an Interagency Agreement with the Controller's Office for services during Fiscal Year 1990-91.

COMMISSION AGENDA ITEM REPORT

Item Title Interagency Agreement with Teale Data Center		Meeting Date January 18, 1989
Bureau Information Services	Reviewed By Glen Fine	Researched By Holly Mitchum <i>hm</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-15-89	Date of Report December 12, 1989
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center for Fiscal Year 1990/91, for computer services.

BACKGROUND

POST has an Interagency Agreement with Teale Data Center (a State Agency) for computer services. The contract provides for a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer or PCs can provide. The current year contract is for \$89,000.

ANALYSIS

POST uses the Teale Data Center mainframe computers for processing large statistical jobs and the storage of large test score data files. Also, California's 34 law enforcement training academies utilize the Test Item Bank system and communications facilities at the data center.

RECOMMENDATION

Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center for computer services in Fiscal Year 1990/91 for an amount not to exceed \$89,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date	
Health and Welfare Data Center - CALSTARS Support		January 18, 1990	
Bureau	Reviewed By	Researched By	
Administrative Services Bureau	<i>[Signature]</i> Otto H. Salterberger	Staff	
Executive Director Approval	Date of Approval	Date of Report	
<i>[Signature]</i> William C. Boehm	12/28/89	November 17, 1989	
Purpose:		Financial Impact:	
<input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with Health and Welfare Agency Data Center for Computer linkage in support of the State Accounting System (CALSTARS).

BACKGROUND

The mandated California Accounting and Reporting System (CALSTARS) implemented in 1986, requires that POST enter into a yearly contract with the Health and Welfare Data Center to provide data processing services during the year. The Commission approved an agreement not to exceed \$25,000 for current Fiscal Year 1989-90.

ANALYSIS

Without the continuation of an agreement with the Health and Welfare Data Center, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements. Approval is requested to negotiate a similar agreement for Fiscal Year 1990-91 for an amount to maintain required level of service.

RECOMMENDATION

Authorize staff to negotiate an interagency agreement with the Health and Welfare Agency Data Center for computer services during Fiscal Year 1990-91.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Broadcast Video Training Tapes		Meeting Date January 18, 1989
Bureau Training Program Services Bureau	Reviewed By Hal Snow	Researched By Bill Masters
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-28-89	Date of Report November 30, 1989
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to enter into an interagency agreement with San Diego State University, for an amount not to exceed \$24,000, to assemble and broadcast four videotape training programs during fiscal year 1990/91.

BACKGROUND

At its April 1989 meeting, the Commission approved a \$16,000 contract with San Diego State University for four satellite broadcasts of videotape training programs during 1989/90. Three of the broadcasts have been completed with the fourth scheduled for April 19, 1990. The programs are being recorded and used by law enforcement agencies for training of their personnel. Feedback from the field has been highly commendatory, and the Commission has been encouraged to continue this program.

ANALYSIS


In the next fiscal year we hope to add to the quality and usefulness of these tape broadcasts. To do this, an increase in contract amount is needed to cover increased SDSU production costs and provide more flexibility in the method of presentation. Greater use will be made of an on-camera narrator and character generator to highlight key instructional points in each videotape and to allow for POST updates.

Broadcasting of training programs via satellite has proven to be an effective method of delivery. Each 2-hour program contains at least eight recently produced videotapes directed at the training needs of officers of varying assignments. Agencies having access to C-band satellite receive equipment can view and record these programs at little or no cost. This method of distribution has greatly expanded the use of existing videotaped material and helped to improve the effectiveness of training programs overall.

RECOMMENDATION

It is recommended that the Executive Director be authorized to continue the contract with San Diego State University not to exceed \$24,000 for four satellite broadcasts.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Supervisory Leadership Contracts Fiscal Year 1990/91		January 18, 1990
Bureau	Reviewed By	Researched By
Center for Leadership Development		Ted Morton
Executive Director Approval	Date of Approval	Date of Report
		December 28, 1989
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Supervisory Leadership Contract as proposed for Fiscal year 1990/91 are required to authorize the Executive Director to negotiate a contract with CSU Long Beach.

Background

The Commission approved three presentations of the Supervisory Leadership Institute (SLI) for Fiscal Year 1988/89 and 1989/90. The Commission approved a contract with CS Long beach to assist in the development and administration of the program. Approval also was provided for a Management Fellow to develop and present the one completed institute and the two in progress which will be completed in April, 1990.

Analysis

The 1989/90 contract costs of \$146,000 are consistent with similar management and executive training programs administered by POST. Tentative plans are to start four classes in May, 1990. This will require the continuing search for and development of a total of 15 instructors to meet the need of team instruction and courses being presented simultaneously. It is anticipated that total contract costs for FY 1990/91 will not exceed \$200,000.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to negotiate a contract with CSU, Long Beach to provide administrative assistance to POST in presenting four (4) Supervisory Leadership Institutes every 8 months for the FY 1990/91. A negotiated contract will be returned for Commission approval at the April, 1990 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
POST/DOJ Interagency Agreement for Training		January 18, 1990
Bureau	Reviewed By	Researched By
Training Delivery Services	RONALD T. ALLEN	Lou Madeira
Executive Director Approval	Date of Approval	Date of Report
<i>Mouman C. Boehm</i>	12-29-89	December 28, 1989
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES:

The Department of Justice has provided training to local law enforcement through an Interagency Agreement with POST since 1974. During Fiscal Year 1989/90, the amount allocated to this contract was \$760,126. For this amount, the Department of Justice agreed to make 138 combined presentations of 21 separate courses which addressed specifically expressed law enforcement training needs.

In addition to normal cost of presentation budget adjustments and other routine contract augmentations projected for 1990/91, Attorney General John Van de Kamp has requested POST's financial support of an additional \$441,000 in the form of a separate budget change proposal (BCP). The BCP would fund increases in full time staff for the DOJ Advanced Training Center. The proposed BCP is directed to providing the specific instructional and coordination resources necessary to increase the number of DOJ narcotics-related training courses...thereby reducing a substantial backlog of training applications presently on file.

The BCP proposal raises two significant issues for consideration by the Finance Committee:

1. Should the Commission support a BCP which seeks a direct transfer of Peace Officer Training Funds into the Department of Justice Budget?
2. Is the additional \$441,000 requested necessary, given alternate training delivery options, currently pending certifications for narcotics-related training courses, and other possible modifications to the existing DOJ contract?

BACKGROUND:

Narcotics-related training has been repeatedly expressed as a high priority by California law enforcement. The results of POST's training needs assessment research in calendar year 1989 (detailed in Attachment C) reveals a clear need for increases in the number of training spots available statewide in four particular subject areas:

1. Narcotics Investigation (80 Hour Course)
2. Drug Identification and Influence (32 Hour Course)
3. Clandestine Laboratory Investigation (24 Hour Course)
4. Locally-delivered Modular Training on Narcotics-related subjects

As a result of these training need expressions, the number of certified narcotics training presenters and the aggregate number of narcotics-related training courses available is increasing. Six new courses were certified this year in addition to a number of new offerings in modular courses. Thirteen additional courses are also presently under development with several certifications immediately pending. Staff is also engaged in the standardization and update of narcotics-related curricula for distribution to additional regional presenters. (A full listing of currently certified narcotics-related courses and those under development are enclosed as Attachments A and B).

ANALYSIS:

With respect to the BCP process, the Commission has historically opposed transfers of whatever nature from the Peace Officer Training Fund. Past opposition has been motivated to both avoid precedence and to assure the Commission can meet its standards and training responsibilities by maintaining control over expenditures from its fund. In addition, direct funding inherently inhibits certification flexibility as training needs change or as new training delivery vehicles emerge.

With respect to the proposed application of BCP funds, the proposal does not take into account other training delivery options or adjustment of portions of the existing DOJ contract as an alternate method of ameliorating all, or a significant portion, of the declared training backlog.

ANALYSIS: (cont.)

It is important to recognize that the BCP was written before POST and DOJ staff met to discuss the 1990/91 contract. The BCP subsequently contains some misleading information. The Drug Identification and Influence Course and the Narcotics Enforcement for Peace Officers Course, for example, are identified in the BCP as separate 24 hour programs. These courses were, in fact, merged in the 1989/90 contract (for presentations after July 1, 1989) to avoid redundancy in the curricula and to make better use of contract dollars. The dollars needed to mitigate this training need are therefore not as great as the BCP would suggest.

Meetings between POST and Advanced Training Center Staff concerning the 1990/91 contract revealed a number of contract modifications which appear cost-effective, readily implementable and educationally sound.

Modifications include increasing the maximum enrollment in some lecture-based courses (e.g. Clandestine Laboratory Investigation), a minor increase in the aggregate number of offerings of others (e.g. Narcotics Investigation), and the development and certification of "Train-the-Trainer" courses in appropriate subject areas (beginning with the drug identification and influence area) where training of large groups of peace officers is needed and where local presentation is desirable. (Specific changes are detailed in Attachment D).

The anticipated fiscal impact of this alternative plan is an increase of approximately \$103,000 to the DOJ contract. (Summaries of all currently certified DOJ courses, current and proposed certification conditions, projected contract modifications, modification justifications and fiscal impact are enclosed as Attachments E, F, G, and H)

CONCLUSION:

An increase in the DOJ contract appears both necessary and appropriate as one method of addressing current narcotics training needs. Continued maintenance of a diversified and adequately flexible training delivery system statewide, however, suggest rejection of the BCP proposal in favor of a DOJ contract increase along with commensurate support for other regional training presenters.

ATTACHMENT A

POST CERTIFIED NARCOTICS COURSES (31)

CERT. NUMBER	PRESENTER	COURSE TITLE	Hours
9260-2227	DOJ	Asset Forfeiture	16
9260-2228	DOJ	Marijuana Update CAMP Marijuana	20
9260-2225	DOJ	CAMP Safety Update	24
9260-2226	DOJ	CAMP Supervisor/ Field Ops	53
9260-3403	DOJ	Clandestine Lab	40
9260-3404	DOJ	Clandestine Lab Update	40
1850-2224	LAPD	Drug Abuse Resistance Ed	20
9260-2035	DOJ	Drug Asset RMV/Financial Inv. Update	36
9260-2222	DOJ	Drug ID & 11550 Infl.	32
3240-2222	Chabot College	" " " "	24
4200-2222	Napa Valley Colleg	" " " "	32
2540-2222	Evergreen College	" " " "	24
2400-2222	San Diego P.D.	" " " "	8
4570-2222	San Mateo College	" " " "	24
2960-2222	Redwoods Center	" " " "	24
2060-2222	Orange Co. S.D.	" " " "	24

POST CERTIFIED NARCOTICS COURSES (CONT.)

CERT. NUMBER	PRESENTER	COURSE TITLE	HOURS
3950-2031	Rancho Santiago College	DUI	32
9260-3246	DOJ	Financial Investment	32
3550-2222	Fresno City Col.	11550 Heroin Influence	24
4410-2220	Rio Hondo	Narc. Enforc. for Peace	40
3650-2220	Gavilan College	Narc. Enforc. & Infl.	24
9910-3264	US DEA	Narc. Inv., Sinsemilla - Aerial	40
9260-3265	DOJ	Narcotics Investigation	80
1820-3265	LASD	" "	40
1850-3260	LAPD	" "	40
9870-3265	US DEA/San Diego	" "	80
9910-3265	US DEA/SF	" "	80
8540-3265	WSIN/DOJ	" "	80
1820-3261	LASD	Narc. Inv., Adv.	40
9910-2220	US DEA/SF	Narc. Enforc. - Contemp.	16
1780-3261	Long Beach P.D.	Narc. Inv - RICO	40

CERTIFIED NARCOTICS "SKILLS & KNOWLEDGE" MODULES (18)

CERT. NUMBER	PRESENTER	COURSE TITLE
2330-2990	S. Bernardino SD	DUI
4630-2990	Shasta College	Drug Influence 11550
2950-2990	Butte College	Drug Investigation
3650-2990	Gavilan College	Drug Prevention
3670-2990	Golden West Col.	Narc - Halluc.
3670-2990	" " "	" - Marijuana
3670-2990	" " "	" - Opiate
3670-2990	" " "	" - Poison
4210-2990	Palo Verde Col.	Narc/Drug Update
2980-2990	Santa Rosa Col.	" " "
3010-2990	Allan Hancock Col	" " "
3410-2990	Col. of the Des.	" " "
3560-2990	Fullerton College	" " "
3650-2990	Gavilan College	" " "
4000-2990	Los Medanos	" " "
2330-2990	S. Bernardino S.D	" " "
3710-2990	Lassen College	Drug Influence
2950-2990	Butte College	Narc/DUI (Variable Format)

ATTACHMENT B

NARCOTICS COURSES PENDING CERTIFICATION

The 49 Advanced Officer courses statewide contain segments of narcotics training. These segments range in time from 4 to 16 hours.

Pending Certifications: (13)

- o 11550 H & S - Los Medanos College
- o Clandestine Lab. Safety - DOJ
- o Drug Influence Instructor - DOJ
- o Narc. for SWAT & Special Enforcement - Orange Co. S.D.
- o Management of Narc. Unit - Orange Co. S.D.
- o Officer Safety - Narcotics Cases - Orange Co. S.D.
- o Clandestine Lab - Orange Co. S.D.
- o Methods of Harvesting & Control - Orange Co. S.D.
- o Use of K-9 in Narcotics - Orange Co. S.D.
- o Narc. Officer (80 hrs.) - Gavilan College
- o Narc. Officer (80 hrs.) - Orange Co. S.D.
- o Narc. Officer (80 hrs.) - San Diego Reg. Trg. Ctr.
- o Narc. Investigation (80 hrs.) DEA/Los Angeles

ATTACHMENT C

POST TRAINING NEEDS ASSESSMENT RESULTS

The following narcotics-related training needs were identified by Training Delivery Services Bureau Staff in regional workshop conducted between January 20, 1989 and November 16, 1989.

<u>TRAINING NEED/DESCRIPTION</u>	<u>HOURS</u>	<u>PROJECTED ATTENDEES</u>
NARCOTICS INVESTIGATION	80	262
CLANDESTINE LABORATORY INVESTIGATION	24	428
DRUG IDENTIFICATION AND INFLUENCE/11550 H&S COURSE	32	364
MODULAR TRAINING:	8	
Drug Influence (11550)		452
Drug Asset Forfeiture Overview		282
Drug Influence (Cocaine Specific)		600
Drug Influence (Hallucinogens)		282
Drug Influence (Methamphetamine Specific)		282
Narcotics Surveillance		282
Drug Dealer/Trafficker Profiling		1050
Drug Influence (Cocaine/ Methamphetamine Combined)		166
Narcotics Law Update		282
ADVANCED OFFICER COURSE (Including 11550/Drug Influence Subject Matter)		420

ATTACHMENT D

IMPACT OF THE BCP VERSUS POST TRAINING DELIVERY STRATEGY

<u>TRAINING NEED</u>	<u>CURRENT STATUS</u>	<u>BCP IMPACT</u>	<u>POST RECOMMENDATION</u>
NARCOPTICS INVESTIGATION (At DOJ-ATC)	10 Classes of 20 200 Trainees/Year	23 Classes of 20 460 Trainees/Year	11 Classes of 20 220 Trainees/Year (80 Hours)
			<u>PLUS</u> 12 Classes of 24 at Gavilan College (288 more spots) 6 Classes of 24 at Orange County SD (144 more spots) 652 spots available Statewide FY 90/91 More Courses Under Development

DRUG/NARC
INFLUENCE

NOTE: This class was merged with the NEPO class as of 7/1/89. This was done (with DOJ's support) to remove redundancy in the curricula and provide for better use of contract funds. The BCP, as submitted, contains dated information which makes comparison difficult.

12 classes of 40 42 Classes of 40 12 classes of 50
480 Trainees/Year 1680 Trainees/Year 600 Trainees/Year

PLUS

6 Additional
Presenters Statewide
(Unlimited Spaces)

Proposed DOJ Drug
Influence Training=
for Trainers (4
Classes of 20)-80
New Trainers/Year

NARC ENFORCE
FOR PEACE OFR
(NEPO)*
(24 Hours)

Eliminated

12 classes of 40
480 Trainees/Year

CLANDESTINE
LAB INVEST.

6 classes of 24
144 Trainees/Year

9 classes of 24
216 Trainees/Year

6 classes of 48
288 Trainees/Year

288 Spots available
Statewide FY 80/81

(Exceeds DOJ's BCP
Proposal and POST
would support adding
more offering to DOJ
contract, if needed)

ATTACHMENT E

SUMMARY OF ANTICIPATED CHANGES IN DOJ CONTRACT
FOR FISCAL YEAR 1990/91

<u>NO.</u>	<u>CHANGE DESCRIPTION</u>	<u>PROJECTED FISCAL EFFECT</u>
1	Increase maximum enrollment in Clandestine Lab Investigation Course to 48 (from 24). Allows 144 additional trainees	+ 6,283
2	Add one offering the Criminal Intelligence Institute Course	+ 9,618
3	Increase maximum enrollment in Drug ID and Influence Course to 50 (from 40). Allows 120 more trainees per year	+ 10,870
4	Cut 8 hours of instruction from Electronic Surveillance (Wiretap) Course.	(- 4,312)
5	Add one presentation of Computer Crime Investigation	+ 6,540
6	Increase maximum enrollment in Investigation of Homicide and Violent Crime to 30 (from 24)	+ 5,800
7	Increase enrollment in Investigation of Officer Involved Shootings Course to 30 (from 24)	+ 10,165
8	Increase number of presentations of Skills and Knowledge Modular Training to 40 (from 30)	+ 12,200
9	Add one presentation of Narcotics Investigation (Total of 11)	+ 25,267

0	<u>REMOVE Latent Fingerprint Techniq</u> <u>Course from the DOJ Contract</u>	(- 15,989)
11	<u>REMOVE Fingerprint Pattern ID</u> <u>Course from the DOJ Contract</u>	(- 15,734)
12	<u>ADD NEW COURSE Statistical Applic</u> <u>Crime Analysis (4 offerings per</u> <u>year, 40 Hours each)</u>	+ 16,500
13	<u>ADD NEW COURSE Drug Influence</u> <u>Training for Trainers (4 Offerings</u> <u>per year, 40-56 hours)</u>	+ 24,000
	<u>NET CHANGE DUE TO PROGRAM MODIFICATIONS</u>	+ 91,208
	<u>ANTICIPATED CHANGES DUE TO COST OF</u> <u>PRESENTATION INCREASES IN OTHER DOJ</u> <u>COURSES</u>	+ 12,243
	<u>TOTAL PROJECTED INCREASE IN DOJ CONTRACT</u> <u>FOR FISCAL YEAR 1990/91</u>	+ 103,377

ATTACHMENT F

DOJ CONTRACT CHANGE SUMMARY FOR FISCAL 1990/91
(ALL CONTRACT COURSES)

<u>COURSE</u>	<u>FY 89/90 COST</u> <u>BUDGETED</u>	<u>FY 89/90 COST</u> <u>PROJECTION</u>	<u>DIFFERENCE</u>
Crime Analysis,			
Expanded Appl	25,067	26,320	+ 1,253
Financial Inv, Adv	17,214	18,074	+ 860
Intell Data Analyst	9,577	10,055	+ 479
Intell Basic Elements	23,312	24,477	+ 1,166
CAMP, Field Ops	14,625	15,365	+ 731
Clandestine Lab			
Investigation	25,657	31,940	+ 6,283
Commander (Vice/Narc)	29,783	31,272	+ 1,489
Crim Intell Institute	8,744	18,362	+ 9,618
Drug Asset Forfeit/			
Financial Invest	35,816	37,606	+ 1,790
Drug Identification			
and Influence	117,405	128,275	+ 10,870
Economic Crime Inv	29,054	30,506	+ 1,453
Electronic Surveil	18,763	14,451	(- 4,312)
Informant Develop	25,759	27,047	+ 1,288
Computer Crime Inv	17,924	24,464	+ 6,540
Homicide/Violent			
Crime Invest	42,493	48,293	+ 5,800
Officer Involved			
Shooting Invest	60,493	70,658	+ 10,165
Skill/Knowledge Modu	30,502	42,702	+ 12,200
Narcotics			
Investigation	163,014	188,281	+ 25,267
Surveillance Equip	33,193	34,853	+ 1,660
Fingerprint, Latent	15,989	0	(- 15,989)
Fingerprint, Pattern	15,734	0	(- 15,734)
Crime Analysis, Stat			
Methods (NEW)	0	16,500	+ 16,500
Drug Influence, Trg			
for Trainers	0	24,000	+ 24,000

CONTRACT TOTAL
FISCAL YEAR 89/90 \$760,118

ESTIMATED CONTRACT
FISCAL YEAR 90/91 \$863,501

NET DIFFERENCE
+ 103,377

ATTACHMENT G

DOJ BUDGET PROJECTION FOR FISCAL YEAR 1990/91
(DETAIL OF ANTICIPATED CHANGES)

<u>COURSE TITLE</u>	<u>CURRENT STATUS</u>	<u>PROPOSED CHANGES:</u>	<u>FISCAL IMPACT</u>
Crime Analysis- Expanded Appl.	36 Hours 4 classes of 20 80 Total Trainees	NONE	\$25,067 + COPA*
Financial Invest. Advanced	32 Hours 3 classes of 10 30 Total Trainees	NONE	\$17,214 + COPA*
Criminal Intell. Data Analyst	36 Hours 2 classes of 20 40 Total Trainees	NONE	\$9,577 + COPA*
Criminal Intell. Basic Elements	36 Hours 4 Classes of 24 96 Total Trainees	NONE	\$23,312 + COPA*
CAMP Supervision & Field Oper.	53 Hours 2 classes of 24 48 total Trainees	NONE	\$14,625 + COPA*
<u>Clandestine Lab Investigation</u>	24 Hours 6 Classes of 24 144 Total Trainees	Increase Class to 48 students <u>288 Trainees</u> (Footnote A)	\$25,657 +5,000
Commander (Vice, Narc, Intell)	36 Hours 4 Classes of 24 96 Total Trainees	NONE	\$29,783 + COPA*
<u>Criminal Intell Institute</u>	72 Hours 1 Class of 24 24 Total Trainees	Increase to 2 offerings <u>48 Trainees</u> (Footnote B)	\$8,744 +8,744 + COPA*
Drug Asset Forfeit Financial Inv.	36 Hours 5 classes of 24 120 Total Trainees	NONE	\$35,816 + COPA*

<u>COURSE TITLE</u>	<u>CURRENT STATUS</u>	<u>PROPOSED CHANGES:</u>	<u>FISCAL IMPACT</u>
<u>Drug ID and Influence</u>	32 Hours 12 Classes of 40 480 Total Trainees	Increase Class to <u>50 student</u> <u>600 Trainees</u> (Footnote C)	\$117,405 +5,000 + COPA*
Economic Crime Investigation	36 Hours 4 Classes of 24 96 Total Trainees	NONE	\$29,054 + COPA*
<u>Electronic Surveillance</u> <u>(Wiretap Trg)</u>	24 Hours 4 classes of 25 100 Total Trainees	Reduce to 16 Hours per Presentation (Footnote D)	\$18,763 -\$5,000 + COPA*
Informant Devel. and Maintenance	32 Hours 6 Classes of 24 144 Total Trainees	NONE	\$25,759 + COPA*
<u>Computer Crime Investigation</u>	36 Hours 3 classes of 24 72 Total Trainees	Add one Presentation <u>96 Trainees</u> (Footnote E)	\$17,924 + 5,375 + COPA*
<u>Investigation of Homicide/Violent Crimes</u>	36 Hours 6 classes of 24 144 Total Trainees	Increase to 30 Students <u>180 Trainees</u> (Footnote F)	\$42,493 + 3,500 + COPA*
<u>Investigation of Ofr. Involved Shootings</u>	36 Hours 8 classes of 24 192 Total Trainees	Increase to 30 Students <u>240 Trainees</u> (Footnote G)	\$60,493 + 6,800 + COPA*
<u>Skills & Knowledge Modular Training</u>	8 Hours (each) 30 classes of 25 750 Total Trainees	Increase to 40 offerings <u>1000 Trainees</u> (Footnote H)	\$30,502 +10,167 + COPA*

<u>COURSE TITLE</u>	<u>CURRENT STATUS</u>	<u>PROPOSED CHANGES:</u>	<u>FISCAL IMPACT</u>
<u>Narcotics Investigation</u>	80 Hours 10 classes of 20 200 Total Trainees	Add one Presentation <u>220 Trainees</u> (Footnote I)	\$163,014 + 16,301 + COPA*
Specialized Surveillance Equipment	36 Hours 7 Classes of 15 105 Total Trainees	NONE	\$33,193 + COPA*

COURSE DELETIONS:

<u>Fingerprint, Latent Technique</u>	38 Hours 4 classes of 15 60 Total Trainees	<u>DELETE FROM DOJ CONTRACT</u> (Footnote J)	\$15,989 -\$15,989
<u>Fingerprint Pattern Recog.</u>	24 Hours 6 Classes of 15 90 Total Trainees	<u>DELETE FROM DOJ CONTRACT</u> (Footnote K)	\$15,734 -15,734

COURSE ADDITIONS:

<u>Statistical Methods in Crime Analysis</u>	<u>(PROPOSED)</u>	2 offerings 24 Students 40 Total (Footnote L)	Estimate +\$16,500
<u>Drug Influence (Training for Trainers)</u>	<u>(PROPOSED)</u>	4 offerings 20 students (Footnote M)	Estimate +\$24,000

- * Refers to "Cost of Presentation Adjustment". Requests for budget adjustments are expected for most courses. This is anticipated due to increased direct costs, higher room and equipment rentals, justified salary increases and similar factors.

FOOTNOTES

- A The need for additional training in Clandestine Laboratory Investigation has already been substantiated by POST's Statewide Training Needs Assessment Process. This course recently reverted to a straight lecture-based format when drug manufacture demonstrations were eliminated because of environmental concerns and safety risk to students.
- This change however, may permit a 100% increase in the maximum enrollment (from 24 student per class to 48 students per class) as a direct means of ameliorating a substantial backlog of training applications.
- Almost all subject-matter experts in this field are DOJ employees. The lack of alternative instructional resources inhibits certification of new presenter.
- B The need for a second offering of the Criminal Intelligence Institute is anticipated as a by product of state legislation (The "Crack Down" Program, in particular) which will field at least 10 additional Regional Narcotics Task Forces. Since these particular Task Forces will incorporate criminal intelligence data collection and evaluation responsibility, the training will be a necessity.
- C The need for additional training in Drug Identification and Influence has similarly been substantiated by POST's Training Needs Assessment Activities. The training need will be addressed, in part, by increasing the maximum enrollment in this class by 20%. In addition, a "Drug Influence Train-the-Trainers Course should be supported as discussed in Footnote M.
- D Feedback from the Advanced Training Center staff indicates that only 16 hours is needed to adequately cover the specified curricula. Since this course contains legislatively mandated curricula however, any modification will require appropriate approval.
- E Advanced Training Center Staff indicates that one additional offering of Computer Crime Investigation is necessary to meet an increasing training need as evidenced by a growing waiting list. Since this program contains hands-on application, maximum class size is limited to the number of available microcomputers. An additional class is subsequently the only reasonable avenue to meet the training need.

- F The waiting list for DOJ's Investigation of Homicide and Violent Crime course has also been growing. The need for additional homicide classes is corroborated by POST's TNA findings. An increase in the class size by 20% (24 student to 30 students) will permit 36 additional trainees per year with no substantial adverse effect.
- G The demand for the Investigation of Officer Involved Shootings course has also exceeded the maximum enrollment permitted under the current POST/DOJ contract. Additional offerings are not possible due to the limited availability of the instructional staff. Increase in maximum enrollment by 20% (24 student per class to 30 students per class) would be manageable and cost-effective given the lecture orientation of this program. Such a modification will permit 48 additional trainees per year.
- H The aggregate number of Skills and Knowledge Modular Training presentations should be increased to a maximum of 40 per year (up from 30) to address emerging training needs in DOJ's unique fields of expertise. Anticipated additions include a module entitled Applied Statistics (for agency crime analysts) and a module relating to Violent Crime Information Center reporting requirements.
- I Staffing additions at the DOJ Advanced Training Center notwithstanding, the Acting Director projects the ability of existing staff to deliver one additional offering of the Narcotics Investigation Course (increasing from 10 to 11 presentations). This addition should be supported. The experiential nature of this training experience prevents increasing class enrollment per offering.
- J/K Both the Latent Fingerprint Techniques Course and the Fingerprint Pattern Identification Course are presented by staff of the DOJ Bureau of Criminal Identification. They have experienced an increased demand for these courses, due primarily to the CAL/ID program. They have generally accommodated the added demand for training with local on-site classes. POST agreed to certify these additional offerings under Plan IV.

Although the DOJ contract specifies 4 offerings of the Latent class and 6 classes of the Pattern Identification Program, 9 and 14 offerings were needed respectively this year with the added offerings presented outside the DOJ contract. The instructional costs for these added programs were absorbed by DOJ with POST reimbursing travel and per diem expenses.

The recommendation of staff for Fiscal Year 1990/91 would be to remove these classes from the DOJ contract in favor of a shared cost agreement with the Los Rios Community College District. POST certification would continue under Plan IV. Such an arrangement would provide the Bureau of Identification with the flexibility to add classes on request, while providing a revenue mechanism to offset presentation costs. This arrangement would be cost-effective for both POST and DOJ.

L POST recently developed curricula for a course on Applied Statistics for Law Enforcement. This program was developed to meet an identified training need crime analysts and law enforcement personnel engaged in operations research. The program would compliment the existing DOJ course "Crime Analysis: Expanded Applications".

M The need to train line law enforcement officers in Drug Identification and Influence is well supported by POST's own statewide training needs assessment process. A key training delivery strategy advocated by POST and DOJ Advanced Training Center Staff is the certification of a Drug ID and Influence "Train the Trainers" Program. Such a course would generate a cadre of 80 new trainers who could subsequently meet the statewide training need locally.

Reference should be made to Footnote C, as staff is also proposing a 100% increase in enrollment in the current DOJ Drug Identification and Influence Course.

ATTACHMENT H

COURSES CURRENTLY CERTIFIED TO THE DEPARTMENT OF JUSTICE
ADVANCED TRAINING CENTER

<u>COURSE TITLE</u>	<u>CERT NUMBER</u>	<u>HOURS</u>	<u>#PER YEAR</u>	<u>MAX ENROLL</u>	<u>CONTRACT COURSE?</u>
Commander, Vice/ Narc/Intell	9260-1007	36	4	24	<u>YES</u>
Forensic Exam- Sex Assault	9260-2034	80	2	15	<u>NO</u>
Drug Asset Forfeit Finan Invest	9260-2035	36	5	24	<u>YES</u>
Forensic Micros- copy, Basic	9260-2036	40	2	12	<u>NO</u>
Forensic Serilog Fluid Screen	9260-2037	36	2	15	<u>NO</u>
Hair/Fiber ID and Comparison	9260-2038	40	2	12	<u>NO</u>
Forensic Exam, Glass/Paint	9260-2039	40	2	12	<u>NO</u>
Firearms Safety- Lab Environ	9260-2109	20	2	14	<u>NO</u>
Fingerprint, Basic (Classifica)	9260-2120	32	6	10	<u>NO</u>
Fingerprint, Latent Techniques	9260-2121	40	4	15	<u>YES</u>
Fingerprint, Latent Spec Tech	9260-2122	38	2	12	<u>NO</u>
Fingerprint, Latent Tracing Tech	9260-2123	32	8	8	<u>NO</u>
Fingerprint, Patt. Recognition	9260-2179	24	14	15	<u>YES</u>
Telecommunications, Trg for Trnrs	9260-2184	16	25	45	<u>NO</u>
Spec. Surveillance Equipment	9260-2200	36	7	15	<u>YES</u>
Electronic Surveil (Wiretap)	9260-2202	24	8	25	<u>YES</u>
Crim Intelligence Course	9260-2215	72	2	24	<u>YES</u>
Drug ID and Influence	9260-2222	32	12	40	<u>YES</u>
CAMP Safety Update Course	9260-2225	24	10	20	<u>NO</u>
CAMP Supervision and Field Ops	9260-2226	53	2	24	<u>YES</u>
Asset Forfeiture- Marijuana Upda	9260-2227	16	3	30	<u>NO</u>
CAMP Marijuana Training	9260-2228	20	1	300	<u>NO</u>

CURRENT DOJ COURSES (CONTINUED)

<u>COURSE TITLE</u>	<u>CERT NUMBER</u>	<u>HOURS</u>	<u>#PER YEAR</u>	<u>MAX ENROLL</u>	<u>CONTRACT COURSE?</u>
Officer Involved Shooting Inv	9260-2245	36	8	24	YES
Informant Devel and Maint	9260-2250	32	6	24	YES
Computer Crime Investigation	9260-2342	36	3	24	YES
Skills & Knowledge Modular	9260-2990	8	30	25	YES
Special Agent In-Service	9260-3100	26	2	25	NO
Homicide/Violent Crime Invest	9260-3192	36	6	24	YES
Intelligence, Bas Elements of	9260-3201	36	4	24	YES
Intelligence, Data Analyst	9260-3202	36	2	20	YES
Link Analysis Techniques	9260-3204	8	0	15	YES
Financial Invest, Advanced	9260-3246	32	3	10	NO
Narcotics Investigation	9260-3265	80	7	20	YES
Executive Protection	9260-3300	36	0	20	NO
Economic Crime Investigation	9260-3390	36	4	24	YES
Crime Analysis, Expanded Appl	9260-3400	36	4	20	YES
Clandestine Lab, Forensic Exam	9260-3403	40	2	24	NO
Clandestine Lab Invest Update	9260-3404	24	6	24	YES
Records Management Course	9260-4171	36	0	24	NO

39 TOTAL COURSES

21 CONTRACT FUNDED

18 PLAN IV FUNDED

(POST Pays Instructional Costs)
(DOJ Absorbs Instructional Costs)

Memorandum

Commission Finance Committee

Date : January 2, 1990



Norman C. Boehm

Executive Director

From : Commission on Peace Officer Standards and Training

Subject: NARCOTICS TRAINING

Attached are letters from the Attorney General's Office requesting \$441,000 of POST funding in support of a Budget Change Proposal in support of narcotics training through the Department of Justice's advanced training center.

A staff analysis is provided in the enclosed report which suggests that the identified narcotics training backlog can be accommodated through a comprehensive approach using a number of existing presenters and an increase in the current contract with the Department of Justice. The proposed contract increase for the Department of Justice is \$104,000.

It is understood, however, that the Attorney General strongly desires the \$441,000 in support of the BCP as opposed to a contract augmentation.

Funding either the BCP or a contract adjustment requires the use of monies appropriated from the Peace Officer Training Fund to provide money for existing training contracts and agency reimbursement. Current year appropriations are committed and encumbered. The Department of Finance has agreed to seek approval to augment POST FY 1989-90 local assistance budget (agency reimbursement) by three million dollars and a like amount next fiscal year. These augmentations, however, are specifically for using projected reserves to increase declining salary reimbursement to local agencies.

The \$441,000 to finance the proposed BCP would constitute a permanent funding base to support additional DOJ staffing creating, in essence, another POST program. This approach is not recommended. A contract, on the other hand, would require sufficient funds to be made available in the existing Training Contracts item. Augmentation of this item can be accomplished by transferring funds from the local assistance budget (agency reimbursement) through a budget revision. Procedures require approval of the Department of Finance in all cases and additionally legislative notification with a waiting period of 30 days for funds exceeding \$100,000.

JOHN K. VAN DE KAMP
Attorney General

COMMISSION ON POST State of California
DEPARTMENT OF JUSTICE



DEC 7 3 44 AM '89

P.O. BOX 903281
SACRAMENTO, CA 94203-2810
(916) 739-5241

December 6, 1989

Mr. Norm Boehm, Executive Director
Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816

Dear Mr. Boehm:

Advanced Training Center Workload Training

This is to request that the Department of Justice's request to increase the annual contract with POST be placed as an agenda item at both the December 7th Long Range Planning Commission meeting and the January 17th Finance Committee meeting as a high priority.

The Advanced Training Center is experiencing excessive backlogs in student requests for training in the Narcotic Investigation, Drug Influence, Narcotic Enforcement, and Clandestine Laboratory Investigation peace officer courses. A contract amendment in the amount of \$441,000 would enable the Department to:

- Decrease/eliminate the backlog of 300 applications for the Narcotics Investigation (NIC) course by increasing the number of NIC courses provided each year.
- Decrease/eliminate the number of denied requests for the Drug Influence and Narcotic Enforcement courses by providing at least 50% more courses.
- Increase the number of Clandestine Laboratory Investigation courses from six to nine.


Contrary to seeking an increase in spending authority through an Interagency Agreement each year which, as you are aware, takes approximately six months to process through the Department of Finance necessitating the positions be maintained in a blanket for a good portion of the year, we are seeking a Budget Change Proposal (BCP). The BCP process will allow the establishment of the positions in the Training Center on a full-year basis. Upon POST approval, the Department will submit the BCP as a Finance Letter in early Spring 1990.

In summary, the BCP will allow us to set up the positions, however, it will not eliminate POST's ability to negotiate the annual contract with DOJ. If at some future point the need for this increased training decreases, the Department will then submit the appropriate request to decrease this spending authority.

I appreciate your attention to this matter.

Sincerely,

JOHN K. VAN DE KAMP
Attorney General


G. W. CLEMONS, Director
Division of Law Enforcement

tn

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1801 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

CENTRAL INFORMATION

30-5328

EXECUTIVE OFFICE

30-3884

AUS

Administrative Services
(916) 739-5354Center for Executive
Development
(916) 739-2083Compliance and Certificates
(916) 739-5377Information Services
(916) 739-5340Management Consulting
(916) 739-3888Standards and Evaluation
(916) 739-3872Training Delivery Services
(916) 739-5384Training Program Services
(916) 739-5372Course Control
(916) 739-5388Professional Certificate
(916) 739-5381Reimbursements
(916) 739-5387Resource Library
(916) 739-5353

November 17, 1989

John K. Van de Kamp, Attorney General
California Department of Justice
3580 Wilshire Boulevard, Suite 800
Los Angeles, CA 90010

Dear Attorney General Van de Kamp:

Thank you for your letter describing local needs for narcotics investigation training. We agree that the growing scope of the narcotics problem and increasing demands for training necessitate a larger commitment. Staff efforts are underway at POST to evaluate needs for more POST certified training. Our staff will, of course, be meeting with your Division of Law Enforcement staff to discuss issues in general and the specifics of a contract proposal.

With respect to the Department of Justice's proposed BCP, please bear in mind that the POST Commission has historically opposed budget proposals that would make a direct appropriation from the Peace Officer Training Fund. This past opposition has been motivated to both avoid precedence and to preserve the Commission's control over expenditures from its training fund. This is a posture which I discussed with Nelson Kempsky last summer. And, though there was discussion of a similar issue, you should know that we were not made aware of the BCP in question until after it was submitted to the Department of Finance.

We will be pleased to have this on the Commission's Finance Committee agenda and work with your staff on a proposal that can be forwarded. The committee is scheduled to meet on January 17, 1990. We will also place the issue on the agenda of the Long Range Planning Committee to consider along with other training issues planned for their review. That committee will meet on December 7, 1989.

We regret that we wound up in a "crossways" position with your BCP. We are committed to working closely to avoid that sort of problem in the future. And, of course, we remain committed to helping meet law enforcement's training needs in this most crucial area.

Sincerely,



NORMAN C. BOEHM
Executive Director





State of California
Office of the Attorney General
John K. Van de Kamp
Attorney General

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:


California's increasing drug problem necessitates a larger commitment of State resources. Unfortunately, our ability to keep pace with local requests for narcotic training is insufficient. Currently, we have an 18 month to two year backlog of applications for our Narcotic Investigation Course and we are denying over 50% of the requests for the Drug Influence and Narcotic Enforcement for Peace Officer courses. It's clear that local agencies want and need the training offered by our Advanced Training Center.

In an attempt to meet these needs, we prepared a Budget Change Proposal (BCP) for fiscal year 1990/91, which would have given us an additional \$441,000 to fund five positions to be used for narcotic training. Our intent was that the funding would come from the Peace Officer Standards Officer Standards and Training account. Neither you or your staff supported this approach.

The concerns expressed were, in part, based on a potential lack of available funds. I have recently learned that a very substantial surplus of Peace Officer Standards and Training funds exist for this fiscal year. Given the need for this training expressed by local law enforcement, I ask you to reconsider this proposal. We still believe that a BCP is the proper approach, but we could also consider an increase to our contract.

I think this issue should be presented to the Finance Committee when they meet next. I would be happy to discuss this issue in more detail if you wish.

Very truly yours,


JOHN K. VAN DE KAMP
Attorney General

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COMMISSION ON P.O.S.

1515 K Street, Suite 600
P. O. Box 944255
Sacramento, California 94244-2550
(916) 324-5437



3580 Wilshire Boulevard, Suite 800
Los Angeles, California 90010
(213) 736-2273

State of California
Office of the Attorney General

John K. Van de Kamp
Attorney General

COMMISSION ON POST
DEC 6 2 14 PM '89

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

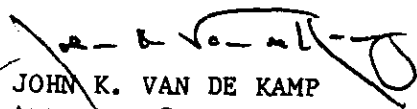
The Advanced Training Center requested support through a Budget Change Proposal (BCP) for the printing and distribution of the California Peace Officers Legal Sourcebook (CPOLS) for Fiscal Year 1990/91. This BCP was not approved and as a result the Department will continue to incur a deficit for the production of CPOLS. CPOLS is distributed to over 15,000 subscribers, and 5,257 of the subscriptions are distributed free to law enforcement based on a joint agreement with POST made in 1984. These free subscriptions cost the Department approximately \$142,000 per year, and this will increase to approximately \$148,000 in Fiscal Year 1990/91.

The Department is in the process of increasing the fee to paid subscribers and this increase is scheduled to take effect January 1, 1990. The Department will be forced to increase the price of paid subscriptions by approximately \$15.00 each to offset the costs of the free subscriptions unless POST covers the costs for the free subscriptions. Forcing the paying subscribers to pay for the free subscriptions is unfair.

The Department took a survey in December of 1988, and found that approximately 88% of the subscribers were police officers, and the majority of the remainder are employees of district attorney's offices and other criminal justice agencies. The survey also revealed that 67% of the subscribers use it as an office reference, 14% use it in training, 11% use it as a home reference and 8% use it as a field reference. The survey affirms the value of CPOLS. Therefore, it seems appropriate to support the free subscriptions to local law enforcement with funds from the Peace Officers Training Fund.

This issue should be presented to the Finance Committee the next time they meet. Should you wish to discuss this issue in more detail please contact me.

Very truly yours,


JOHN K. VAN DE KAMP
Attorney General

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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
California Peace Officer Legal Sourcebook		October 18, 1984
Bureau	Reviewed By	Researched By
Training Program Services	Hal Snow	Bob Spurlock <i>RS</i>
Executive Director Approval	Date of Approval	Date of Report
<i>Morgan C. Boehm</i>	<i>9-20-84</i>	September 20, 1984
Purpose:		
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should POST continue funding the cost of reproduction and postage of the California Peace Officer Legal Sourcebook bi-monthly updates?

BACKGROUND

On December 1, 1983, POST entered into an interagency agreement with the Department of Justice to fund, at a cost not to exceed \$40,000, the production and distribution of 5,000 copies of the California Peace Officer Legal Sourcebook.

At the April, 1984 meeting, the Attorney General requested additional funding to pay for reproduction and mailing of the bi-monthly Sourcebook updates for the 5,000 original copies. The Commission approved this funding request, at a cost not to exceed \$13,710, through October 1, 1984. The Commission requested that an evaluation of the Sourcebook be made to determine the Sourcebook's effectiveness and uses prior to the October 1984 Commission meeting.

ANALYSIS

During May 1984, POST staff provided the Attorney General's Office with technical assistance in the development of a survey of the field to provide input into the evaluation of the Sourcebook. The survey, Attachment A, was distributed during July, 1984, to over 700 regular and specialized agencies, academies, and community colleges with a cover letter requesting a return by August 15, 1984.

Our analysis of the survey results (itemized on Attachment B) and independent contacts with law enforcement agencies and academies indicate that:

1. The Sourcebook is used most frequently by field officers and supervisors.
2. The Sourcebook is used several times a week by most agencies.
3. The Sourcebook is used frequently as a legal reference, a resource for field questions, preparing training materials and improving technical knowledge, and the one most common write-in response was in preparing search warrants.

4. The Sourcebooks are updated promptly.
5. The Sourcebook is considered by most agencies to be either extremely valuable or very valuable.
6. Some law enforcement agencies with audio-visual media production capability, particularly videotape, are producing films for in-service training based upon the sourcebook information.

All indications are that the Sourcebook has been very favorably received by the field. This would most probably be lost if the bi-monthly updates were to be discontinued. The Sourcebook has been produced and promoted as a publication of the Attorney General's Office and is not directly related to POST's primary mission to provide California law enforcement training. It is recognized that the Sourcebook is used as a resource in developing training.

Alternatives Available to the Commission:

Discontinue Funding

The current interagency agreement and augmentation will terminate October 1, 1984. This alternative may have a significant impact on the Attorney General's Office in maintaining the updates.

Continue Funding Indefinitely

This would create a concern over setting a precedent in the funding of another agency's publication.

Continue Funding for the Remainder of this Fiscal Year

It would appear appropriate to suggest that POST continue providing funding for this purpose for the remainder of this fiscal year due to the budgetary problems of the Department of Justice and the necessity for the Department of Justice to have the opportunity to amend their 1985-86 budget to incorporate this cost. Monthly costs for printing and postage for the updates are \$4,145 and, therefore; the costs for the remainder of this fiscal year (October 1 - June 30) will be \$37,303.

RECOMMENDATION

Approve funding of printing and distribution costs of the Sourcebook for the remainder of this fiscal year, at a cost not to exceed \$37,303.00, with the understanding that the Attorney General's Office will budget for and continue funding thereafter.

CALIFORNIA PEACE OFFICER LEGAL SOURCEBOOK SURVEY

- A. _____
- | Name of Agency/Institution | Contact Person | Phone No. |
|----------------------------|----------------|-----------|
|----------------------------|----------------|-----------|
- B. Agency Size, Sworn Peace Officers (Circle appropriate response)
- | | | |
|------------------|-------------|-----------|
| 01. 500 and over | 04. 200-299 | 07. 50-74 |
| 02. 400-499 | 05. 100-199 | 08. 25-49 |
| 03. 300-399 | 06. 75-99 | 09. 1-24 |
- C. What rank(s) most frequently use the Sourcebook? (Circle appropriate response)
- | | | |
|--|--------------------------------|----------------------------|
| 04. Officer/Deputy | 02. Supervisor, e.g., Sergeant | 01. Executive, e.g., Chief |
| 03. Manager, e.g., Lieutenant or Captain | Other _____ | |
| Specify | | |
- D. How frequently, on the average, is each Sourcebook used? (Circle appropriate response)
- | | | |
|--------------------------|------------------|-----------------|
| 05. More than once a day | 03. Once a day | 01. Once a week |
| 04. Several times a week | 02. Once a month | 0. Not used |
- E. How is the Sourcebook used? (Circle appropriate response)
- | | Never | Seldom | Frequently | Often |
|-------------------------------------|-------|--------|------------|-------|
| As a legal reference? | 0 | 01 | 02 | 03 |
| As a resource for field questions? | 0 | 01 | 02 | 03 |
| To prepare training materials? | 0 | 01 | 02 | 03 |
| As a study resource for promotions? | 0 | 01 | 02 | 03 |
| For other purposes (specify) _____ | | 01 | 02 | 03 |
- F. Are the Sourcebooks promptly updated upon receipt of the updates?
(Circle appropriate response)
02. Yes
01. No Comments: _____
- _____
- _____
- _____
- _____
- G. How would you characterize the value of the Sourcebook? (Circle appropriate response)
- | | | |
|------------------------|-----------------------|------------------|
| 03. Extremely valuable | 01. Not very valuable | _____ No opinion |
| 02. Very valuable | 0. Of no value | |

CALIFORNIA PEACE OFFICER LEGAL SOURCEBOOK SURVEY ANALYSIS

During the month of July 1984, approximately 700 survey instruments were sent to all California agencies that received one of the original 5000 copies of the Legal Sourcebook. A total of 419 or 60% of the returns were received by the August 15, 1984 return date.

The following is the results of this survey:

Agency Size

500 and over	7%	200-299	3%	50-74	10%
400-499	1%	100-199	9%	25-49	17%
300-399	2%	75- 99	5%	1-24	40%

What Rank(s) Most Frequently Use The Sourcebook?

Officer/Deputy	17%	Manager	12%
Supervisor	55%	Executive	16%

How Frequently, On The Average, Is The Sourcebook Used?

More than once a week	7%	Once a month	8%
Several times a week	52%	Once a week	23%
Once a day.	9%	Not used	1%

How Is The Sourcebook Used?

	Never	Seldom	Frequently	Often
As a legal reference	4%	9%	56%	31%
As a resource for field questions?	8%	12%	56%	24%
To prepare training materials?	15%	26%	32%	27%
As a study resource for promotion?	37%	36%	18%	9%
For other purpose (Specify)	88%	2%	6%	4%

Are The Sourcebooks Promptly Updated Upon Receipt Of The Updates?

Yes	98%
No	2%

How Would You Characterize The Value Of The Sourcebook?

Extremely Valuable	50%	Not Very Valuable	1%	No Opinion	1%
Very Valuable	48%	Of No Value	0%		

The respondents were also asked to describe one specific event or activity in which the Sourcebook proved to be of value. The most common response was in the preparation and use of search warrants.

Respondents were also asked for suggestions for improvement. There were a total of 68 comments in this area. Most of these comments were complimentary of the Sourcebook rather than suggestive. The most common suggestions were to provide more information on traffic law, on the design or the index, and more frequent updates.

Memorandum

: Commission Finance Committee

Date : December 29, 1989



Norman C. Boehm, Executive Director

From : Commission on Peace Officer Standards and Training

Subject: REVENUE ENHANCEMENT

At the July Commission meeting, a discussion was held regarding the level of current year resources and the necessity of adopting a salary reimbursement rate significantly lower than last fiscal year. As a result, the Commission directed the Committee to review the Penalty Assessment Fund and to explore additional methods to raise revenue.

Over a several year period, there have been fluctuations in revenue accrual and annual reimbursement expenditures. The overall trend is steady program growth and related costs that exceed the growth of revenue. This is a concern which has been recognized by the Commission for the past several years. Several options to increase revenue or provide additional resources have been explored and discussed and are included for the Committee's discussion and consideration.

- o Pursue legislation to increase the penalty surcharge on criminal and traffic fines.
- o Seek an audit of current revenue collection to determine whether all monies are properly submitted.
- o Attempt to acquire a portion of the Driver Training Fund for the POST program.
- o Seek legislation to acquire General Fund monies to augment the Peace Officer Training Fund.
- o Develop and seek implementation of bond initiative to provide voter approved capital for POST program enhancement.
- o Identify a new source of special funds.

Several of the above options have been previously addressed and the Commissioners are generally aware of the difficulties associated with all of these options. Other options may come to mind during the discussion of these alternatives. As a backdrop for discussion, it is important to know that at least revenue growth does continue and we are currently keeping pace with our projection of \$41 million for the 89/90 fiscal year.

Commission on Peace Officer Standards and Training
Legislative Review Committee Meeting
January 18, 1990, 9:00 a.m.
Executive Conference Room - Marriott Harbor Hotel
333 West Harbor Drive, San Diego

AGENDA

- A. Call to Order
- B. Roll Call
- C. Review of Proposed Legislation to Enact an Accreditation Program for Police and Sheriff's Departments

A California Accreditation Program administered by the POST Commission has the support of the major law enforcement associations in the State. The program is proposed to be funded by an additional 1.5% of the Penalty Assessment Fund. The money would be available to develop organizational and operational standards for city police and county sheriff's departments. Agencies volunteering to be accredited would apply to POST. The Commission would supply accreditation materials and assist in the certification process at no fee to the agency. State and specialized agencies have indicated interest in being named in the legislation, but the prevailing sentiment is that initially, at least, the program should focus on city police and sheriff's departments.

- D. Update on SB 353 Implications

Enclosed is legal advise on the implications of SB 353 which enacts Penal Code Section 13526. P. C. Section 13526 precludes agencies from receiving POST funds unless the agency was eligible to receive funds as of December 31, 1989. Thus AB 1688, which is effective January 1, 1990 and adds harbor districts to the definition of district in P. C. 13507, is nullified. The Commission may expect to hear comments over these conflicting bills.

- E. Update on Commission's Request for Introduction of Alternative Bill to AB 2306

AB 2306 by Assemblyman Calderon has become a two year bill. This bill would provide for local law enforcement agencies operating under joint powers agreements to participate in the POST program. As you recall, such agencies were not named in the original dispatcher legislation, and legal advise is that they are not eligible to participate in the dispatcher program. Senator Boatwright has agreed to

introduce a new bill containing the same amendments as AB 2306 to ensure passage this year.

F. Update on Commission's Request for Introduction of Legislation to Enhance Certificate Revocation

PORAC has agreed to sponsor legislation to authorize expanded certificate revocations for certain misdemeanor convictions involving certain offenses for moral turpitude. Current law only allows certificate revocation upon a felony conviction.

G. Open Discussion

H. Adjournment

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LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, Presley.

General Subject: Law enforcement: Accreditation of local agencies.

Existing law establishes the Commission on Peace Officer Standards and Training (POST) within the Department of Justice, which establishes minimum standards for state and local peace officers, establishes guidelines for various law enforcement procedures, administers a certification program for peace officers, and administers a grant program for local agencies with respect to peace officer training. Existing law also establishes the Peace Officers' Training Fund, a continuously appropriated fund, which is financed by a 27.75% apportionment of the penalty assessments deposited in the Assessment Fund, and which is to be used by the commission exclusively for administrative costs and grants to local government and

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An act to amend Section 1464 of, and to add Article 4 (commencing with Section 13530) to Chapter 1 of Title 4 of Part 4 of, the Penal Code, relating to peace officers, and making an appropriation therefor.

(b) Where multiple offenses are involved, the assessment shall be based upon the total fine or bail for each case. When a fine is suspended, in whole or in part, the assessment shall be reduced in proportion to the suspension.

(c) When any deposited bail is made for an offense to which this section applies, and for which a court appearance is not mandatory, the person making the deposit shall also deposit a sufficient amount to include the assessment prescribed by this section for forfeited bail. If bail is returned, the assessment made thereon pursuant to this section shall also be returned.

(d) In any case where a person convicted of any offense, to which this section applies, is in prison until the fine is satisfied, the judge may waive all or any part of the assessment, the payment of which would work a hardship on the person convicted or his or her immediate family.

(e) After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the county treasury. The portion thereof attributable to Chapter 12 (commencing with Section 76010) of Title 8 of the Government Code shall be deposited in the appropriate county fund and the balance

preceding month. Those funds shall be made available in accordance with subdivision (b) of Section 13967 of the Government Code.

(3) Once a month there shall be transferred into the Peace Officers' Training Fund an amount equal to 27.75 percent of the funds deposited in the Assessment Fund during the preceding month.

(4) Once a month there shall be transferred into the Driver Training Penalty Assessment Fund an amount equal to ~~29.73~~ 28.23 percent of the funds deposited in the Assessment Fund during the preceding month.

(5) Once a month there shall be transferred into the Corrections Training Fund an amount equal to 9.12 percent of the funds deposited in the Assessment Fund during the preceding month. Money in the Corrections Training Fund is not continuously appropriated and shall be appropriated in the Budget Act.

(6) Once a month there shall be transferred into the Local Public Prosecutors and Public Defenders Training Fund established pursuant to Section 11503 an amount equal to 0.90 percent of the funds deposited in the Assessment Fund during the preceding month. The amount so transferred shall not exceed the sum of eight hundred fifty thousand dollars (\$850,000) in any fiscal year. The

(\$500,000). All moneys in excess of that amount shall be utilized in accordance with subdivision (f).

(2) Any moneys deposited in the Assessment Fund attributable to the assessments made pursuant to subdivision (i) of Section 27315 of the Vehicle Code on or after the date that Chapter 6.6 (commencing with Section 5564) of Part 1 of Division 5 of the Welfare and Institutions Code is repealed shall be utilized in accordance with subdivision (f).

SEC. 2. Article 4 (commencing with Section 13530) is added to Chapter 1 of Title 4 of Part 4 of the Penal Code, to read:

Article 4. Local Law Enforcement Accreditation

13530. (a) The commission shall develop regulations and professional standards for a local law enforcement accreditation program. The program shall provide standards for the operation of local law enforcement agencies. These standards shall serve as a basis for the uniform operation of local law enforcement agencies throughout the state to best serve the interests of the people.

(b) These regulations and standards shall be

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RECORD # 130 BF:

RN 89 025030 PAGE NO.

Assessment Fund, which is hereby appropriated without regard to fiscal years, exclusively for the local law enforcement accreditation program established pursuant to this article. However, any unexpended moneys remaining in the fund at the end of any fiscal year shall be transferred into the Peace Officers' Training Fund.

- 0 -

Memorandum

To : Doug Thomas
Assistant Executive Director
P.O.S.T.
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Date : November 20, 1989

File No.

Telephone: ATSS (8) 473-1993
(916) 323-1993

Vincent J. Scally, Jr.
Deputy Attorney General
From : Office of the Attorney General - Sacramento

Subject: Senate Bill 353

You have asked for advice regarding the impact of Senate Bill 353 and Assembly Bill 1688, which were both enacted into law in the current legislative session and take effect January 1, 1990. You have requested advice on the following three questions:

1. Would a public hearing be required to implement provisions of S.B. 353 requiring a POST study and recommendation with respect to any future requests by persons seeking peace officer status designation?
2. Does S.B. 353 affect bills currently in the legislative process which would designate certain persons as peace officers?
3. Are harbor districts, which pursuant to A.B. 1688 will be included within the definition of district for POST purposes, precluded from receiving reimbursement from the POST fund by virtue of S.B. 353, which precludes governmental agencies from receiving POST funds unless the agency was eligible as of December 31, 1989?

First, public hearings would be required to promulgate regulations pertaining to the study and recommendation requirements for persons seeking peace officer status. The study and recommendation process would have a mandatory, state-wide application and are therefore regulations which are subject to the public hearing process before promulgation. It is my understanding from our discussions that the public hearing process for promulgation of these regulations has commenced.

Second, any persons seeking peace officer status must comply with the requirements of S.B. 353 after January 1, 1990, and request a POST study and recommendation with respect to the appropriateness of peace officer status. S.B. 353, which takes affect January 1, 1990, demonstrates clear legislative intent that after that date any and all persons seeking peace officer status designation must

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COMMISSION ON POST

request the POST study and recommendations. No exception is permissible for persons presently seeking peace officer status through the current legislative process. Therefore, after January 1, 1990, any persons seeking peace officer status must comply with the provisions of S.B. 353.

Finally, S.B. 353 precludes harbor districts from receiving POST reimbursement. S.B. 353 enacts Penal Code section 13526 which provides that in no event shall any allocation be made from the peace officers' training fund to a local government agency if the agency was not entitled to receive funding on December 31, 1989. A.B. 1688 provides for amendment of Penal Code section 13507, and includes harbor districts among the districts included within those districts eligible for POST reimbursement. However, S.B. 353 was enacted and chaptered after A.B. 1688, manifesting legislative intent that section 13526 would control over the amended section 13507. Furthermore, review of the legislative history of A.B. 1688 indicates that the legislature was apprised of the related legislation of S.B. 353 and its specific prohibition of an allocation from the peace officers' training fund to a local government agency for training expenses if the agency was not entitled to receive funding from the fund prior to December 31, 1989. Therefore, it can only be concluded that the legislature intended that harbor districts ineligible to receive funding as of December 31, 1989, not receive POST reimbursement notwithstanding amendment of Penal Code section 13507.

If you have any questions regarding these matters, please call me.

JOHN K. VAN DE KAMP
Attorney General



VINCENT J. SCALLY, JR.
Deputy Attorney General

VJS:ram

Memorandum

Advisory Liaison Committee Members
Commissioner Carm Grande
Commissioner Raquel Montenegro
Commissioner Alex Pantaleoni

January 2, 1990
Date :

Commissioner Edward Maghakian
Chairman, Advisory Liaison Committee

From : **Commission on Peace Officer Standards and Training**

Subject: NOTICE OF ADVISORY LIAISON COMMITTEE MEETING -
1:30 P.M. - JANUARY 17, 1990 - Santa Rosa Room

Attached are minutes of the Advisory Liaison Committee meeting held October 3, 1989 via telephone conference call. I have scheduled a follow-up meeting on January 17, 1990 at 1:30 p.m. at the Marriott Harbor Hotel in San Diego so that the Committee can review and discuss minority representation on the Advisory Committee, in person, prior to the full Commission meeting.

Memorandum

POST Commissioners

Date October 10, 1989

Commissioner Edward Maghakian
Chairman, Advisory Liaison Committee

From : Commission on Peace Officer Standards and Training

Subject: REPORT OF THE ADVISORY LIAISON COMMITTEE MEETING -
OCTOBER 3, 1989

The Advisory Liaison Committee met via telephone conference call on October 3, 1989. The Chairman called the meeting to order with Commissioners Montenegro and Pantaleoni, and Executive Director Boehm present. The topic of discussion centered on ways to increase minority representation on the Advisory Committee.

The Commission has expressed a desire to increase minority representation on the Advisory Committee. A letter was subsequently mailed to each of the organizations represented on the Advisory Committee. The organizations were requested to be sensitive to minorities when nominating people to the Advisory Committee.

The Committee discussed the advisability of accelerating the opportunity of minority representation by creating one or more additional public member positions on the Advisory Committee.

Because of the importance of this issue, the Committee recommends that minority representation be discussed by the full Commission.

Memorandum

Advisory Liaison Committee

September 20, 1989

To :

Date :

*Norm*Norman C. Boehm
Executive Director

From : Commission on Peace Officer Standards and Training

Subject: ADVISORY COMMITTEE REPRESENTATION

The Commission has expressed a desire to increase minority representation on the Advisory Committee. Consensus appeared to focus on an appropriate strategy for accomplishing this:

- (1) asking represented organizations to be sensitive to minorities in nominating people to the Advisory Committee; and
- (2) considering appointment of minorities when filling the public member category. A letter dated June 11, 1989 (copy attached) was sent to constituent organizations and initiates the first part of the strategy.

The current membership status of the Advisory Committee is as follows. In July, the Commission appointed Cecil Riley as the specialized law enforcement representative. There remains only one vacancy in the allocated positions, that of the Community College appointee. This has been vacant since the death of Winston Silva in October 1988. No names have been received from the Community College Chancellor's Office to fill this vacancy.

As to future possibilities, an attached list shows the names, terms, and organizations of current Advisory Committee members. Please note that there is only one public member position on the committee at this time and it is filled. That term expires in September 1990 and would be filled at that time. If the Commission would like to make an appointment sooner, a second public member position, which was abolished in July 1987, could be reinstated, bringing total committee membership to 14. Alternatively, the Community College position could be redesignated as a public member position. In this event, the number of seats would remain at 13.

(The procedure for filling a vacant Advisory Committee position is attached. Members of the Commission may submit names to the Commission Chairman in advance of the Commission meeting. The Chairman then makes the appointment with the Commission concurring.)

Of course, over a period of time the Commission will have a recurring number of appointment decisions. The issue before the Committee now is to consider the advisability of adding a seat to enable a public member appointment at this time.

Attachments

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083**12 Members
ROSTER OF ADVISORY COMMITTEE MEMBERS
(3 Year Appointments)**

1989

**Term
Expires****Chairman****LOWENBERG, Ronald**
California Police Chiefs
Association (CPCA)Chief of Police
Cypress Police Department
5275 Orange Avenue
Cypress, CA 90630
(714) 229-6620

9/1992

Vice-Chairman**BROWN, Don**
California Organization of
Police and Sheriffs'
(COPS)Lieutenant, Burbank Police Dept. 9/1992
c/o C.O.P.S.
175 East Olive Avenue, Suite 400
Burbank, CA 91502
(818) 842-1133
(818) 953-8650 (PD)**Members****BYRD, Cois**
California State
Sheriffs' Association
(CSSA)Sheriff 9/1990
Riverside County
P.O. Box 512
(4050 Main Street, 92501)
Riverside, CA 92502
(714) 787-2401**CLEMENTS, JOHN**
California Highway Patrol
(CHP)Chief 9/1990
Personnel and Training Division
California Highway Patrol
444 North 3rd Street, Suite C250
Sacramento, CA 95814-0227
(916) 445-9236**FORKUS, DONALD L.**
California Peace Officers'
Association (CPOA)Chief Of Police 9/1991
Brea Police Department
Number One Civic Center Circle
Brea, CA 92601
(714) 990-7633**HUNT, Derald D.**
California Association of
Administration of Justice
Educators (CAAJE)Calif. Justice Educators' Assoc. 9/1991
338 Bucknell Road
Costa Mesa, CA 92626
(714) 545-4653

Roster of Advisory Committee Members (continued)

Page 2

		<u>Term Expires</u>
KAN, Dolores A. Women Peace Officers' Association of California, Inc. (WPOA)	Lieutenant Bay Area Rapid Transit Police Department 800 Madison Street Oakland, CA 94607 (415) 464-7053	9/1991
MC KEOWN, Joseph P. California Academy Directors' Association (CADA)	Director Contra Costa Criminal Justice Training Center Los Medanos College 2700 East Leland Road Pittsburg, CA 94565 (415) 439-2181	9/1992
OWENS, Carolyn Public Member	Program Administrator Kellogg-West California Polytechnic University 3801 West Temple Avenue Pomona, CA 91768 (714) 869-2260 869-2222	9/1990
RAYL, Bruce D. California Association of Police Training Officers (CAPTO)	Lieutenant Commander, Services Division East Bay Regional Park District Department of Public Safety 11500 Skyline Boulevard Oakland, CA 94619 (415) 881-1833 Ext. 3002	9/1991
California Specialized Law Enforcement	Vacant	
SHINN, William Peace Officers' Research Association of California (PORAC)	Captain Contra Costa County Sheriff's Department 1532 Maynard Street (Residence) Concord, CA 94519 (415) 646-1327 (Office)	9/1991

B. COMMISSION

B5. Public Hearing Notice Cost Statement

Commission Meeting	1/17/80
Commission Meeting (Repealed)	1/24/85

B6. Commission Meeting Site

Commission meetings shall be scheduled in cities within the State in the vicinity of major airports for travel convenience.

Commission Meeting	1/17/80
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B7. Advisory Committee, Service and Appointment of Members

a) Members are appointed by the full Commission.

- (1) Members representing an association or agency are nominated by the association or agency. Associations or agencies shall nominate a minimum of three (3) individuals in priority order. The Commission will appoint an individual from the nominees. (amended 1/21/88)

- (2) The public members are nominated by members of the Commission. If more than one nomination exists for an opening, the Chairman of the Commission shall poll the Commissioners to determine the nominee.

b) Members always serve at the pleasure of the Commission, with a normal term for members being three years.

c) The appointment cycle of members is on a September-to-September basis, in conformance with Commission Appointments, with staggered terms.

d) The Advisory Committee Chairman and Vice-Chairman are elected by their fellow members at the last scheduled meeting of each calendar year.

e) A member's unexcused absence from two consecutive regularly scheduled meetings shall result in formal review by the Commission of the member's status for consideration of removal from the Advisory Committee.

(continued)

B. COMMISSION

B7. Advisory Committee, Service and Appointment of Members (continued)

- f) A member's service shall, where appropriate, be reviewed annually by the Commission with the association or group represented.
- g) Members are not allowed to send alternates to represent them at meetings.
- h) The Advisory Committee shall schedule as far in advance as practical at least four meetings annually, any one or more of which may be canceled if deemed not necessary by the Chairman. One of the four scheduled meetings shall be with the Commission or its representatives, preferably at or near the site of the Commission meeting and the day before.
- i) The Chairman of the Advisory Committee shall attend Commission meetings and serve as spokesman for the Advisory Committee.

Commission Meeting
(Also see 10-25-79)

1/27/83

B8. Advisory Committee, Orientation

- a) New POST Advisory Committee Members shall be invited to visit POST Headquarters within six months of their appointment for the purpose of orientation to POST and its activities. This visit should be in conjunction with a Commission meeting held in Sacramento, to allow the new member(s) to observe Commission deliberations and to personally meet the Commissioners.
- b) After the initial orientation meeting in Sacramento, Advisory Committee Members shall only be reimbursed for expenditures incurred while attending scheduled Advisory Committee meetings, with the exception of the annual joint Commission/Advisory Committee meeting.
- c) The annual Commission/Advisory Committee meeting should include a no-host informal luncheon, for all Commissioners and Advisory Committee Members.

Commission Meeting

4/19/84

B. COMMISSION

B9. Recognition of Exemplary Law Enforcement Service

Exemplary law enforcement service may be recognized and appropriate resolutions, letters or other forms of expression may be presented to honorees at the time of retirement. The Chairmen of the Commission and the Executive Director shall determine and issue the appropriate type of recognition, and shall advise the Commission of such actions periodically.

It is not the Commission's intent that this policy obligate the Commission to recognize all retiring law enforcement officials; the policy is meant to be a guideline, when occasionally requests are received, for expressions of recognition to retiring law enforcement officials.

Commission Meeting

10/23/86

B10. Advisory Committee Member Nominations

Associations or agencies may nominate one individual for appointment to the Advisory Committee. The Commission may reject a nominee, or review and modify this policy at anytime.

Commission Meeting

1/21/88

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
Marriott Harbor Hotel - Santa Rosa Room
January 17, 1990 - 10:00 a.m.

AGENDA

- | | | |
|----|--|---------------|
| A. | Call to Order and Roll Call | Chair |
| B. | Approval of Minutes of Previous Meeting | Chair |
| C. | Announcements | Chair |
| D. | Executive Director's Remarks | Staff |
| E. | Status of Supervisory Leadership Institute | Staff |
| F. | Commission Liaison Committee Report | Commissioners |
| G. | Advisory Committee Member Reports | Members |
| H. | Open Discussion | Members |
| I. | Adjournment | Chair |



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
November 1, 1989
Holiday Inn - Capitol Plaza
Sacramento, CA

MINUTES

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman Ron Lowenberg.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Don Brown, Calif. Organization of Police & Sheriffs
John Clements, Calif. Highway Patrol
Donald Forkus, Calif. Peace Officers' Assoc.
Derald Hunt, Calif. Assoc. of Administration of Justice
Educators
Dolores Kan, Women Peace Officers' Assoc. of Calif.
Ron Lowenberg, Calif. Police Chiefs' Assoc.
Joe McKeown, Calif. Academy Directors' Assoc.
Carolyn Owens, Public Representative
Cecil Riley, Calif. Specialized Law Enforcement
William Shinn, Peace Officers' Research Assoc. of
Calif.

Absent: Cois Byrd, Calif. State Sheriffs' Assoc.
Bruce Rayl, Calif. Assoc. of Police Training Officers

Commission Advisory Liaison Committee Members present:

Commissioner Raquel Montenegro
Commissioner Alex Pantaleoni

POST staff present:

Norman Boehm, Executive Director
Russ Kindermann, Senior Consultant
Doug Thomas, Assistant Executive Director
Imogene Kauffman, Executive Secretary

Visitor present:

William Medigovich, Director, Office of Emergency
Services

INTRODUCTION OF NEW MEMBER

The new member of the Advisory Committee, Cecil C. Riley, Director of the California Union of Safety Employees (CAUSE), was introduced and welcomed. Mr. Riley has been appointed as the representative of California Specialized Law Enforcement for a term of three years to expire in September, 1992.

ELECTION OF OFFICERS

MOTION - Forkus, second - Shinn, carried unanimously that Vice-Chairman Don Brown be elevated to Chairman and John Clements be elected Vice-Chairman to the Advisory Committee for 1990.

The gavel was passed to newly elected Chairman Don Brown.

PLAQUE PRESENTATION

It was announced that Chairman Lowenberg had been appointed to the Commission and, therefore, will be leaving the Advisory Committee. A plaque from the Advisory Committee was presented to Chief Lowenberg for his outstanding service to the Advisory Committee from 1984 through 1989.

A plaque for Michael Sadleir from the Advisory Committee had also been prepared. Inasmuch as Mr. Sadleir was not in attendance, the plaque will be presented at a later date.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION - Forkus, second - Clements, carried unanimously for approval of the minutes of the July 19, 1989, meeting at the Marriott Hotel in San Diego.

EXECUTIVE DIRECTOR'S REMARKS

The Executive Director reviewed the November 2, 1989 Commission Meeting Agenda and responded to questions on the issues. The Advisory Committee voted to go on record as being in support of the staff recommendation to support the Public Safety Dispatcher Program as proposed. There was also support on the recommendation to direct staff to study and develop approaches for training in cultural awareness and communications.

STATUS OF EMERGENCY PREPAREDNESS TRAINING

William Medigovich, Director of the Office of Emergency Services, addressed the Committee on some of the problems that were identified as a result of the earthquake in the Bay Area. He also described some of the current training programs in hazardous materials handling and emergency preparedness and response.

BASIC COURSE OVERSIGHT ADVISORY COMMITTEE UPDATE

Staff of Training Program Services addressed the Advisory Committee and reported on the results of the Basic Course Study project. Twenty-one items were identified during the workshop held in Sacramento on October 11-12, 1989. These topics focused on three major areas: (1) those aspects of the entry process that could be improved in better preparing the student for the program; (2) aspects of the present course that could be presented by computer-based-training systems and making the curriculum relevant to contemporary society; and (3) those aspects of the existing training system that can be transferred to the field for formal training. Additionally, the subject of better instructor training was identified as critical in making the basic training system more efficient and effective. These subjects will be studied in further depth and reported to the Advisory Committee in the future.

COMMISSION LIAISON COMMITTEE REPORT

Minority representation on the Advisory Committee was discussed at length. There was general support that it would be desirable. Commissioner Montenegro expressed her appreciation for the Committee's concerns and comments.

ADVISORY COMMITTEE MEMBER REPORTS

Women Peace Officers' Assoc. of Calif. - Dolores Kan announced that the WPOA is meeting in Fresno November 17-18. The Executive Board meeting and planning session is scheduled for the 17th and a training session on the 18th.

Calif. Assoc. of Administration of Justice Educators - Derald Hunt reported that CAAJE has just published a document comprised of model lesson plans, exemplary exercises, and teaching strategies designed to help teachers improve students' critical thinking and writing skills. The document, Critical Thinking and Writing Across the Curriculum, is the product of eight statewide seminars completed earlier this year. The manual has been distributed to all California colleges and to POST.

CAAJE's North Region meeting, which featured speakers on crime scene blood dynamics and DNA "Fingerprinting", was held at CSU-Sacramento on October 27. The Southern Region's meeting was on November 17, at Irvine Valley College. The program featured demonstrations of the latest computer-assisted instruction techniques.

Public Representation - Carolyn Owens reported on two meetings she had attended on the redesign of the Executive Development Course. Eighteen to twenty chiefs and sheriffs were in attendance at each meeting -- one in Southern and one in Northern California. These two meetings were extremely productive and

exciting inasmuch as it will bring forth a new curriculum based on what the Commission has already provided as guidelines.

Calif. Peace Officers' Assoc. - Don Forkus announced that CPOA's Legal Update Seminars will begin on November 20, and all the literature has been sent out. There will be 18 different offerings throughout the State. Brochures announcing the All-Committee CPOA Conference to be held in Napa the last part of November were distributed as well as CPOA's Fall and Winter 1989 Training Calendar.

Specialized Law Enforcement - Cecil Riley announced that the CAUSE conference was being held November 10, 11 and 12 at the Hyatt Islandia in San Diego. Several legal updates and training sessions are scheduled.

Peace Officers' Research Assoc. of Calif. - Bill Shinn announced the next PORAC conference is scheduled to be held November 15-19 in Sparks, Nevada. Larry Malmberg is running for another term as president. Annie King, Director of PORAC, is leaving PORAC to move to Oregon. Captain Shinn also announced that this will be his last meeting with the Advisory Committee.

Calif. Academy Directors' Assoc. - Joe McKeown stated that the Academy Directors will be meeting in conjunction with CPOA on November 30 in Napa. Of main concern at present is the college-based academies with the changes that are taking place as a result of the passage of AB 1375. This is the college reform bill with the possibilities of costs to the POST program.

Calif. Highway Patrol - John Clements reported that the new field training officer system pilot will be started in January and will go department-wide in March. He complimented POST for the "fantastic" writing test CHP is using, and stated it is paying dividends with the entrance test with respect to optimism. The Hispanic representation has gone up to 29%.

Calif. Police Chiefs' Assoc. - Ron Lowenberg reported that Cal Chiefs are also meeting in conjunction with the CPOA Conference on November 28 in Napa. One of the items on the agenda will be to select his replacement on the Advisory Committee. Chief Lowenberg expressed his appreciation of having the privilege to inter-act with the members of the Advisory Committee during the five years of his membership.

Calif. Organization of Chiefs and Sheriffs - Don Brown reported on the success of two pieces of legislation COPS had supported -- AB 16, the confidentiality bill, and SB 89, the cancer presumption bill for peace officers.

OPEN DISCUSSION


John Clements stated that he had toured the Bay Area earthquake disaster recently and found it almost unbelievable. In light of

the magnitude of the disaster, he was of the opinion that it was all handled fairly well.

Joe McKeown apprised the Committee that under AB 1375 there is a requirement that all community colleges look at their courses and determine if they are degree or non-degree applicable because these courses will be differentially funded. This would mean that the funding level of courses presented by community colleges could be significantly decreased, thereby affecting the POST fund.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1 p.m.


Imogene Kauffman
Executive Secretary

CALIFORNIA COMMUNITY COLLEGES

1107 NINTH STREET
SACRAMENTO, CALIFORNIA 95814
6) 445-8752



January 3, 1990

Norman C. Boehm, Ph.D.
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Dr. Boehm:

In response to your request, I am pleased to recommend Douglas W. Burris, Chief Deputy Chancellor, California Community Colleges, as a member of the Advisory Committee to the Commission on Peace Officer Standards and Training. Mr. Burris' appointment will fill the vacancy left by the death of J. Winston Silva early this year.

The Chancellor's Office continues to support the Commission's efforts to ensure up-to-date information and job relatedness in curriculum development by providing an effectual communication link between the Commission, related organizations and California's community colleges.

Sincerely,

David Mertes

David Mertes
Chancellor

cc: Douglas W. Burris
Chief Deputy Chancellor



Peace Officers Research Association of California

STATE OFFICE
1911 F Street • Sacramento, CA 95814-1795
(916) 441-0660
(800) 937-6722
FAX (916) 448-2749

December 11, 1989

Mr. Norm Boehm, Executive Director
Commission on Peace Officers Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816

Dear Norm:

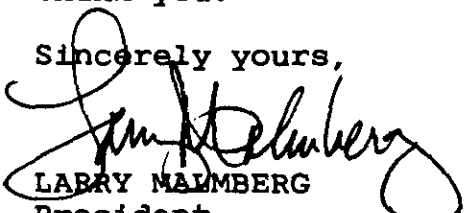
The Peace Officers Research Association of California nominates Sergeant Marcel LeDuc of San Joaquin Sheriff's Department to fill the vacancy on the POST Advisory Committee.

We will all miss Bill Shinn's presence on the Advisory Committee. Marcel has long expressed his keen interest in training standards for California law enforcement and will easily acclimate to the committee.

Marcel can be reached at the following numbers:
residence (209) 835-4017, work (209) 468-4540, home
mailing address is 1640 Lincoln Blvd., Tracy, CA
95376.

Thank you.

Sincerely yours,


LARRY MALMBERG
President

LM/dt

cc: Marcel LeDuc
Board of Directors

COMMISSION ON POST
DEC 14 9 04 AM '89